

**EIGHTY-NINTH GENERAL ASSEMBLY
2022 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

May 25, 2022

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
<u>HF 771</u>	<u>H-8392</u>		RECEIVED FROM THE SENATE
<u>HF 2130</u>	<u>H-8400</u>		RECEIVED FROM THE SENATE
<u>HF 2147</u>	<u>H-8388</u>		RECEIVED FROM THE SENATE
<u>HF 2384</u>	<u>H-8401</u>		RECEIVED FROM THE SENATE
<u>HF 2411</u>	<u>H-8393</u>	Concurred	RECEIVED FROM THE SENATE
<u>HF 2558</u>	<u>H-8387</u>	Adopted	RECEIVED FROM THE SENATE
<u>HF 2558</u>	<u>H-8389</u>	Withdrawn	WORTHAN of Buena Vista
<u>HF 2558</u>	<u>H-8390</u>	Adopted	WORTHAN of Buena Vista
<u>HF 2573</u>	<u>H-8391</u>		RECEIVED FROM THE SENATE
<u>HF 2589</u>	<u>H-8394</u>		MOHR of Scott
<u>HF 2589</u>	<u>H-8395</u>		KAUFMANN of Cedar
<u>HF 2589</u>	<u>H-8396</u>		SHIPLEY of Van Buren
<u>HF 2589</u>	<u>H-8397</u>		SHIPLEY of Van Buren

[HF 2589](#) [H-8398](#)

SHIPLEY of Van
Buren

[HF 2589](#) [H-8399](#)

HALL of
Woodbury

SENATE AMENDMENT TO
HOUSE FILE 771

H-8392

- 1 Amend House File 771, as amended, passed, and reprinted by
2 the House, as follows:
- 3 1. Page 1, line 5, by striking <or bronchodilator> and
4 inserting <bronchodilator canisters, or bronchodilator>
- 5 2. Page 2, line 5, after <canister> by inserting <or
6 bronchodilator canister>
- 7 3. Page 2, line 11, after <canister> by inserting <or a
8 bronchodilator canister>
- 9 4. Page 2, line 17, after <canister> by inserting <,
10 bronchodilator canister>
- 11 5. Page 2, line 20, after <canister> by inserting <,
12 bronchodilator canister>
- 13 6. Page 2, line 30, after <canister> by inserting <or a
14 bronchodilator canister>
- 15 7. Page 2, line 35, after <canister> by inserting <or a
16 bronchodilator canister>
- 17 8. Page 3, line 4, after <canister> by inserting <, a
18 bronchodilator canister>
- 19 9. Page 3, line 8, after <canister> by inserting <or a
20 bronchodilator canister>
- 21 10. Page 3, line 11, after <canister> by inserting <or a
22 bronchodilator canister>
- 23 11. Page 3, line 24, by striking <and spacer or> and
24 inserting <, a bronchodilator canister and spacer, or>
- 25 12. Page 3, line 32, by striking <and spacer or> and
26 inserting <, a bronchodilator canister and spacer, or>
- 27 13. Page 4, line 7, after <auto-injector> by inserting <,
28 bronchodilator canister,>
- 29 14. Page 4, line 22, by striking <or a > and inserting <, a
30 bronchodilator canister, or a>
- 31 15. Page 4, line 32, after <auto-injectors> by inserting <,
32 bronchodilator canisters,>
- 33 16. Page 5, line 3, after <auto-injectors> by inserting <,
34 bronchodilator canisters,>
- 35 17. Page 5, line 5, after <auto-injectors> by inserting <,

H-8392 (Continued)

- 1 bronchodilator canisters,>
2 18. Page 5, line 8, after <auto-injectors> by inserting <, a
3 bronchodilator canisters,>
4 19. Page 5, line 11, by striking <or> and inserting <, a
5 bronchodilator canisters, or>
6 20. Page 5, line 16, after <auto-injector> by inserting <, a
7 bronchodilator canister,>
8 21. Page 5, line 26, after <auto-injector> by inserting <, a
9 bronchodilator canister,>
10 22. Page 5, line 33, after <canister> by inserting <or a
11 bronchodilator canister>
12 23. Page 6, line 6, by striking <or> and inserting <, the
13 bronchodilator canister, or the>
14 24. Page 6, line 15, after <auto-injectors> by inserting <, a
15 bronchodilator canisters,>
16 25. Title page, line 2, after <bronchodilators> by
17 inserting <, bronchodilator canisters,>
18 26. By renumbering as necessary.

[H-8392](#) FILED MAY 24, 2022

SENATE AMENDMENT TO
HOUSE FILE 2130

H-8400

1 Amend House File 2130, as amended, passed, and reprinted by
2 the House, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

5 <Section 1. Section 321.234A, subsection 1, paragraph f,
6 Code 2022, is amended to read as follows:

7 f. The all-terrain vehicle is operated on a ~~county roadway~~
8 primary highway in accordance with section 321I.10, subsection
9 1A, a secondary road in accordance with section 321I.10,
10 subsection 2, or a city street in accordance with section
11 321I.10, subsection 3.

12 Sec. 2. Section 321.234A, subsection 2, Code 2022, is
13 amended to read as follows:

14 2. A person operating an all-terrain vehicle on a highway
15 shall have a valid driver's license and ~~the vehicle shall be~~
16 ~~operated~~ operate the vehicle at speeds of thirty-five miles per
17 hour or less. In addition, a person operating an all-terrain
18 vehicle on a highway pursuant to subsection 1, paragraphs "b"
19 through "g", shall be at least eighteen years of age and have
20 financial liability coverage in effect for the vehicle and
21 carry proof of such financial liability coverage in accordance
22 with section 321.20B.

23 Sec. 3. Section 321.234A, Code 2022, is amended by adding
24 the following new subsection:

25 NEW SUBSECTION. 2A. As provided in section 321.1, an
26 all-terrain vehicle is a motor vehicle for purposes of this
27 chapter. Therefore, an all-terrain vehicle operated on a
28 highway shall be equipped with the parts, lamps, and other
29 equipment in proper condition and adjustment as required under
30 this chapter for motor vehicles, including but not limited
31 to the parts, lamps, and equipment required under sections
32 321.386, 321.387, 321.404, 321.432, and 321.437.

33 Sec. 4. Section 321.384, subsection 1, Code 2022, is amended
34 to read as follows:

35 1. Every motor vehicle upon a highway within the state,

1 at any time from sunset to sunrise, and at such other times
2 when conditions such as fog, snow, sleet, or rain provide
3 insufficient lighting to render clearly discernible persons
4 and vehicles on the highway at a distance of five hundred feet
5 ahead, shall display lighted headlamps as provided in section
6 321.415, subject to exceptions with respect to parked vehicles
7 as provided in this chapter. However, an all-terrain vehicle
8 shall display lighted headlamps as provided in section 321.415
9 at all times while the vehicle is operated on a highway.

10 Sec. 5. Section 321.385, Code 2022, is amended to read as
11 follows:

12 **321.385 Headlamps on motor vehicles.**

13 Every motor vehicle other than a motorcycle,~~or~~ motorized
14 bicycle, or all-terrain vehicle shall be equipped with at least
15 two headlamps with at least one on each side of the front
16 of the motor vehicle, which headlamps shall comply with the
17 requirements and limitations set forth in this chapter.

18 Sec. 6. Section 321.386, Code 2022, is amended to read as
19 follows:

20 **321.386 Headlamps on motorcycles,and motorized bicycles, and**
21 **all-terrain vehicles.**

22 Every motorcycle,~~and~~ motorized bicycle, and all-terrain
23 vehicle shall be equipped with at least one and not more than
24 two headlamps which shall comply with the requirements and
25 limitations of this chapter.

26 Sec. 7. Section 321I.8, subsection 2, Code 2022, is amended
27 to read as follows:

28 2. The department shall remit the fees, including user
29 fees collected pursuant to section 321I.5, to the treasurer
30 of state, who shall place the money in a special all-terrain
31 vehicle fund. The money is appropriated to the department for
32 the all-terrain vehicle programs of the state. The programs
33 shall include grants, subgrants, contracts, or cost-sharing
34 of all-terrain vehicle programs with political subdivisions
35 or incorporated private organizations or both in accordance

1 with rules adopted by the commission. All-terrain vehicle fees
2 may be used for the establishment, maintenance, and operation
3 of all-terrain vehicle recreational riding areas through
4 the awarding of grants administered by the department, but
5 shall not be used for law enforcement purposes outside of a
6 designated off-highway vehicle recreational riding area or for
7 purchasing, installing, or maintaining signs along a highway
8 outside of a designated off-highway vehicle recreational
9 riding area. All-terrain vehicle recreational riding areas
10 established, maintained, or operated by the use of such
11 grants shall not be operated for profit. All programs using
12 cost-sharing, grants, subgrants, or contracts shall establish
13 and implement an education instruction program either singly
14 or in cooperation with other all-terrain vehicle programs.
15 All-terrain vehicle fees may be used to support all-terrain
16 vehicle programs on a usage basis. At least fifty percent of
17 the special fund shall be available for political subdivisions
18 or incorporated private organizations or both. Moneys from
19 the special fund not used by the political subdivisions or
20 incorporated private organizations or both shall remain in the
21 fund and may be used by the department for the administration
22 of the all-terrain vehicle programs. Notwithstanding
23 section 8.33, moneys in the special fund shall not revert to
24 the general fund of the state at the end of a fiscal year.
25 Notwithstanding section 12C.7, subsection 2, interest or
26 earnings on moneys in the special fund shall remain in the
27 fund.

28 Sec. 8. Section 321I.10, Code 2022, is amended by adding the
29 following new subsection:

30 NEW SUBSECTION. 1A. A registered all-terrain vehicle
31 or off-road utility vehicle may be operated on an undivided
32 two-lane primary highway that is not part of the interstate
33 road system over the most direct and accessible route between
34 any of the following locations:

35 a. An all-terrain vehicle park or trail.

1 *b.* A secondary road on which such vehicles are authorized
2 to operate under subsection 2.

3 *c.* A city street on which such vehicles are authorized to
4 operate under subsection 3.

5 *d.* The vehicle operator's residence.

6 Sec. 9. Section 321I.10, subsections 2 and 3, Code 2022, are
7 amended to read as follows:

8 2. *a.* A registered all-terrain vehicle or off-road
9 utility vehicle may be operated on any of the roadways of that
10 portion of county highways designated by the county board of
11 supervisors for such use during a specified period following
12 secondary roads:

13 (1) An unpaved secondary road.

14 (2) A paved, undivided two-lane secondary road over the
15 most direct and accessible route between any of the following
16 locations:

17 (a) An all-terrain vehicle park or trail.

18 (b) Another secondary road on which such vehicles are
19 authorized to operate under this paragraph.

20 (c) A city street on which such vehicles are authorized to
21 operate under subsection 3.

22 (d) The vehicle operator's residence.

23 (3) A paved, undivided secondary road or segment thereof,
24 if authorized by the county board of supervisors. The county
25 board of supervisors shall evaluate the traffic conditions on
26 all county highways such secondary roads under its jurisdiction
27 and designate roadways on which all-terrain vehicles or
28 off-road utility vehicles may be operated for the specified
29 period without unduly interfering with or constituting an undue
30 hazard to conventional motor vehicle traffic. In designating
31 such roadways, the board may authorize all-terrain vehicles
32 and off-road utility vehicles to stop at service stations or
33 convenience stores along a designated roadway.

34 *b.* Notwithstanding paragraph "a", a county may prohibit the
35 operation of all-terrain vehicles and off-road utility vehicles

1 on a secondary road or segment thereof under its jurisdiction
2 as follows:

3 (1) When the secondary road or segment thereof is closed to
4 motor vehicle traffic pursuant to section 306.41.

5 (2) When the secondary road or segment thereof is designated
6 as a detour route pursuant to section 306.41.

7 (3) For any other secondary road or segment thereof, for no
8 more than seven consecutive days and no more than thirty days
9 in a calendar year when the prohibited days are established by
10 ordinance.

11 3. Cities A city may regulate the operation of registered
12 all-terrain vehicles and off-road utility vehicles and may
13 designate streets under the jurisdiction of cities the city
14 within their respective its corporate limits, and two-lane
15 primary and secondary road extensions in the city, which may
16 be used for the operation of registered all-terrain vehicles
17 or registered off-road utility such vehicles. In designating
18 such streets, the city may authorize all-terrain vehicles
19 and off-road utility vehicles to stop at service stations or
20 convenience stores along a designated street. However, a city
21 shall not charge a fee to operate a registered all-terrain
22 vehicle or off-road utility vehicle within the city.

23 Sec. 10. Section 321I.10, subsection 5, unnumbered
24 paragraph 1, Code 2022, is amended to read as follows:

25 An all-terrain vehicle or off-road utility vehicle may
26 make a direct crossing of a highway that is not part of the
27 interstate road system provided all of the following occur:

28 Sec. 11. Section 321I.10, subsection 5, paragraph e, Code
29 2022, is amended to read as follows:

30 e. The crossing is made from a street, roadway, or highway
31 designated as an all-terrain vehicle trail by a state agency,
32 county, or city on which the all-terrain vehicle or off-road
33 utility vehicle is authorized to operate to a street, roadway,
34 or highway designated as an all-terrain vehicle trail by
35 a state agency, county, or city on which such vehicle is

H-8400 (Continued)

1 authorized to operate.>

H-8400 FILED MAY 24, 2022

SENATE AMENDMENT TO
HOUSE FILE 2147

H-8388

1 Amend House File 2147, as passed by the House, as follows:

2 1. Page 1, by striking lines 1 through 9 and inserting:

3 <Section 1. ECONOMIC DEVELOPMENT AUTHORITY — U.S.S. IOWA
4 — APPROPRIATIONS.

5 1. There is appropriated from the general fund of the state
6 to the economic development authority for the fiscal year
7 beginning July 1, 2021, and ending June 30, 2022, the following
8 amount, or so much thereof as is necessary, to be used for the
9 purposes designated:

10 For providing a grant to an entity in support of the
11 christening and commissioning of the U.S.S. Iowa (SSN 797):

12 \$ 75,000

13 2. There is appropriated from the veterans license fee fund
14 created in section 35A.11 to the economic development authority
15 for the fiscal year beginning July 1, 2021, and ending June 30,
16 2022, the following amount, or so much thereof as is necessary,
17 to be used for the purposes designated:

18 For providing a grant to an entity in support of the
19 christening and commissioning of the U.S.S. Iowa (SSN 797)
20 notwithstanding section 35A.11, subsection 1:

21 \$ 75,000

22 3. The economic development authority may use not more
23 than five percent of the moneys appropriated in this section
24 for purposes of administrative costs, marketing, technical
25 assistance, and other program support.

26 Sec. _____. REVERSION. For purposes of section 8.33,
27 unencumbered or unobligated moneys from an appropriation made
28 in this Act shall not revert but shall remain available for
29 expenditure for the purpose designated until the close of the
30 fiscal year beginning July 1, 2023.>

31 2. By renumbering as necessary.

H-8388 FILED MAY 24, 2022

SENATE AMENDMENT TO
HOUSE FILE 2384

H-8401

1 Amend House File 2384, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 1, by striking lines 1 through 4 and inserting:

4 <DIVISION I
5 PHARMACY BENEFITS MANAGERS, PHARMACIES, AND PRESCRIPTION DRUG
6 BENEFITS>

7 2. Page 1, after line 26 by inserting:

8 <____. "*Facility*" means an institution providing health
9 care services or a health care setting, including but not
10 limited to hospitals and other licensed inpatient centers,
11 ambulatory surgical or treatment centers, skilled nursing
12 centers, residential treatment centers, diagnostic, laboratory
13 and imaging centers, and rehabilitation and other therapeutic
14 health settings.>

15 3. Page 1, by striking lines 27 through 30 and inserting:

16 <____. "*Health benefit plan*" means a policy, contract,
17 certificate, or agreement offered or issued by a third-party
18 payor to provide, deliver, arrange for, pay for, or reimburse
19 any of the costs of health care services.

20 ____. "*Health care professional*" means a physician or other
21 health care practitioner licensed, accredited, registered, or
22 certified to perform specified health care services consistent
23 with state law.

24 ____. "*Health care provider*" means a health care professional
25 or a facility.>

26 4. Page 2, by striking lines 1 through 9 and inserting
27 <corporation, or a plan established pursuant to chapter 509A
28 for public employees. "*Health carrier*" does not include any of
29 the following:>

30 5. Page 2, before line 10 by inserting:

31 <a. The department of human services.

32 b. A managed care organization acting pursuant to a contract
33 with the department of human services to administer the medical
34 assistance program under chapter 249A or the healthy and well
35 kids in Iowa (hawk-i) program under chapter 514I.

1 *c.* A policy or contract providing a prescription drug
2 benefit pursuant to 42 U.S.C. ch. 7, subch. XVIII, part D.

3 *d.* A plan offered or maintained by a multiple employer
4 welfare arrangement established under chapter 513D before
5 January 1, 2022.>

6 6. Page 3, by striking lines 4 and 5 and inserting:

7 <____. "*Pharmacy benefits manager*" means a person who,
8 pursuant to a contract or other relationship with a third-party
9 payor, either directly or through an intermediary, manages a
10 prescription drug benefit provided by the third-party payor.>

11 7. Page 3, by striking lines 18 and 19 and inserting:

12 <____. "*Prescription drug benefit*" means a health benefit
13 plan providing for third-party payment or prepayment for
14 prescription drugs.>

15 8. Page 3, by striking line 22 and inserting:

16 <____. "*Rebate*" means all discounts and other negotiated
17 price concessions paid directly or indirectly by a
18 pharmaceutical manufacturer or other entity, other than a
19 covered person, in the prescription drug supply chain to a
20 pharmacy benefits manager, and which may be based on any of the
21 following:

22 *a.* A pharmaceutical manufacturer's list price for a
23 prescription drug.

24 *b.* Utilization.

25 *c.* To maintain a net price for a prescription drug for a
26 specified period of time for the pharmacy benefits manager
27 in the event the pharmaceutical manufacturer's list price
28 increases.

29 *d.* Reasonable estimates of the volume of a prescribed drug
30 that will be dispensed by a pharmacy to covered persons.

31 ____. "*Third-party payor*" means any entity other than a
32 covered person or a health care provider that is responsible
33 for any amount of reimbursement for a prescription drug
34 benefit. "*Third-party payor*" includes health carriers and other
35 entities that provide a plan of health insurance or health

1 care benefits. "*Third-party payor*" does not include any of the
2 following:

3 a. The department of human services.

4 b. A managed care organization acting pursuant to a contract
5 with the department of human services to administer the medical
6 assistance program under chapter 249A or the healthy and well
7 kids in Iowa (hawk-i) program under chapter 514I.

8 c. A policy or contract providing a prescription drug
9 benefit pursuant to 42 U.S.C. ch. 7, subch. XVIII, part D.>

10 9. Page 3, line 33, by striking <health carrier> and
11 inserting <third-party payor>

12 10. Page 4, line 4, by striking <health carrier> and
13 inserting <third-party payor>

14 11. Page 4, line 6, by striking <health carrier> and
15 inserting <third-party payor>

16 12. Page 4, by striking lines 8 through 13.

17 13. Page 5, by striking lines 14 through 17.

18 14. By striking page 6, line 1, through page 7, line 18.

19 15. By striking page 9, line 2, through page 10, line 23.

20 16. Page 12, line 16, before <Act> by inserting <division
21 of this>

22 17. Page 12, line 17, by striking <health carrier's>

23 18. Page 12, by striking lines 20 through 24 and inserting:

24 <DIVISION ____

25 PHARMACY BENEFITS MANAGER REPORTING

26 Sec. _____. Section 510C.1, Code 2022, is amended to read as
27 follows:

28 **510C.1 Definitions.**

29 As used in this chapter unless the context otherwise
30 requires:

31 1. "*Administrative fees*" means a fee or payment, other than
32 a rebate, under a contract between a pharmacy benefits manager
33 and a pharmaceutical drug manufacturer in connection with the
34 pharmacy benefits manager's management of a ~~health carrier's~~
35 third-party payor's prescription drug benefit, that is paid

1 by a pharmaceutical drug manufacturer to a pharmacy benefits
2 manager or is retained by the pharmacy benefits manager.

3 2. "*Aggregate retained rebate percentage*" means the
4 percentage of all rebates received by a pharmacy benefits
5 manager that is not passed on to the pharmacy benefits
6 manager's health carrier third-party payor clients.

7 3. "*Commissioner*" means the commissioner of insurance.

8 4. "*Covered person*" means the same as defined in section
9 ~~514J.102~~ 510B.1.

10 5. "*Formulary*" means a complete list of prescription drugs
11 eligible for coverage under a health benefit plan.

12 6. "*Health benefit plan*" means the same as defined in
13 section ~~514J.102~~ 510B.1.

14 7. "*Health carrier*" means the same as defined in section
15 ~~514J.102~~ 510B.1.

16 8. ~~"Health carrier administrative service fee" means a fee or~~
17 ~~payment under a contract between a pharmacy benefits manager~~
18 ~~and a health carrier in connection with the pharmacy benefits~~
19 ~~manager's administration of the health carrier's prescription~~
20 ~~drug benefit that is paid by a health carrier to a pharmacy~~
21 ~~benefits manager or is otherwise retained by a pharmacy~~
22 ~~benefits manager.~~

23 9. ~~8. "Pharmacy benefits manager" means a person who,~~
24 ~~pursuant to a contract or other relationship with a health~~
25 ~~carrier, either directly or through an intermediary, manages a~~
26 ~~prescription drug benefit provided by the health carrier the~~
27 ~~same as defined in section 510B.1.~~

28 ~~10. 9. "Prescription drug benefit" means a health benefit~~
29 ~~plan providing for third-party payment or prepayment for~~
30 ~~prescription drugs the same as defined in section 510B.1.~~

31 ~~11. 10. "Rebate" means all discounts and other~~
32 ~~negotiated price concessions paid directly or indirectly by~~
33 ~~a pharmaceutical manufacturer or other entity, other than a~~
34 ~~covered person, in the prescription drug supply chain to a~~
35 ~~pharmacy benefits manager, and which may be based on any of the~~

1 ~~following:~~ the same as defined in section 510B.1.

2 ~~a. A pharmaceutical manufacturer's list price for a~~
3 ~~prescription drug.~~

4 ~~b. Utilization.~~

5 ~~c. To maintain a net price for a prescription drug for a~~
6 ~~specified period of time for the pharmacy benefits manager~~
7 ~~in the event the pharmaceutical manufacturer's list price~~
8 ~~increases.~~

9 ~~d. Reasonable estimates of the volume of a prescribed drug~~
10 ~~that will be dispensed by a pharmacy to covered persons.~~

11 11. "Third-party payor" means the same as defined in section
12 510B.1.

13 12. "Third-party payor administrative service fee" means a
14 fee or payment under a contract between a pharmacy benefits
15 manager and a third-party payor in connection with the pharmacy
16 benefits manager's administration of the third-party payor's
17 prescription drug benefit that is paid by a third-party payor
18 to a pharmacy benefits manager or is otherwise retained by a
19 pharmacy benefits manager.

20 Sec. _____. Section 510C.2, subsection 1, unnumbered
21 paragraph 1, Code 2022, is amended to read as follows:

22 Each pharmacy benefits manager shall provide a report
23 annually by February 15 to the commissioner that contains
24 all of the following information regarding prescription drug
25 benefits provided to covered persons of each ~~health carrier~~
26 third-party payor with whom the pharmacy benefits manager has
27 contracted during the prior calendar year:

28 Sec. _____. Section 510C.2, subsection 1, paragraphs c, d, e,
29 and g, Code 2022, are amended to read as follows:

30 ~~c. The aggregate dollar amount of all health carrier~~
31 third-party payor administrative service fees received by the
32 pharmacy benefits manager.

33 ~~d. The aggregate dollar amount of all rebates received~~
34 ~~by the pharmacy benefits manager that the pharmacy benefits~~
35 ~~manager did not pass through to the health carrier~~ third-party

1 payor.

2 e. The aggregate amount of all administrative fees received
3 by the pharmacy benefits manager that the pharmacy benefits
4 manager did not pass through to the ~~health-carrier~~ third-party
5 payor.

6 g. Across all ~~health-carrier~~ third-party payor clients with
7 whom the pharmacy benefits manager was contracted, the highest
8 and the lowest aggregate retained rebate percentages.

9 Sec. _____. Section 510C.2, subsection 2, paragraph a,
10 subparagraph (1), Code 2022, is amended to read as follows:

11 (1) The identity of a specific ~~health-carrier~~ third-party
12 payor.

13 Sec. _____. Section 510C.2, subsection 2, paragraph b, Code
14 2022, is amended to read as follows:

15 b. Information provided under this section by a pharmacy
16 benefits manager to the commissioner that may reveal the
17 identity of a specific ~~health-carrier~~ third-party payor, the
18 price charged by a specific pharmaceutical manufacturer for
19 a specific prescription drug or class of prescription drugs,
20 or the amount of rebates provided for a specific prescription
21 drug or class of prescription drugs shall be considered a
22 confidential record and be recognized and protected as a trade
23 secret pursuant to section 22.7, subsection 3.

24 DIVISION ____

25 EMERGENCY RULEMAKING

26 Sec. _____. EMERGENCY RULES. The insurance division of the
27 department of commerce may adopt emergency rules under section
28 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph
29 "b", to implement the provisions of this Act and the rules
30 shall be effective immediately upon filing unless a later date
31 is specified in the rules. Any rules adopted in accordance
32 with this section shall also be published as a notice of
33 intended action as provided in section 17A.4.

34 DIVISION ____

35 EFFECTIVE DATE

H-8401 (Continued)

1 Sec. _____. EFFECTIVE DATE. This Act, being deemed of
2 immediate importance, takes effect upon enactment.>

3 19. Title page, line 2, after <including> by inserting
4 <effective date and>

5 20. By renumbering, redesignating, and correcting internal
6 references as necessary.

H-8401 FILED MAY 24, 2022

SENATE AMENDMENT TO
HOUSE FILE 2411

H-8393

1 Amend House File 2411, as passed by the House, as follows:

2 1. Page 1, after line 18 by inserting:

3 <Sec. _____. Section 85.27, subsection 5, Code 2022, is
4 amended to read as follows:

5 5. a. When an artificial member or orthopedic appliance,
6 whether or not previously furnished by the employer, is damaged
7 or made unusable by circumstances arising out of and in the
8 course of employment other than through ordinary wear and tear,
9 the employer shall repair or replace it. When any crutch,
10 artificial member or appliance, whether or not previously
11 furnished by the employer, either is damaged or made unusable
12 in conjunction with a personal injury entitling the employee to
13 disability benefits or services as provided by this section,
14 or is damaged in connection with employee actions taken which
15 avoid such personal injury, the employer shall repair or
16 replace it.

17 b. Subject to paragraph "a" but notwithstanding any other
18 provision of this section, an employer shall not be required
19 to provide for the repair or replacement of an employee's
20 permanent prosthetic device if the employee has an account
21 credited to the employee pursuant to section 85.65, subsection
22 2, in relation to that permanent prosthetic device.

23 Sec. _____. Section 85.35, Code 2022, is amended by adding the
24 following new subsection:

25 NEW SUBSECTION. 7A. a. If an injury relating to a claim
26 results in the injured worker needing a medically necessary
27 permanent prosthetic device or an alteration of an existing
28 medically necessary permanent prosthetic device, a settlement
29 pursuant to this section must describe the medically necessary
30 permanent prosthetic device and identify which portion of
31 the settlement proceeds are for the purpose of covering the
32 estimated cost of future repair or replacement of the device.

33 b. Upon the approval of a settlement by the workers'
34 compensation commissioner, moneys identified for the purpose
35 of covering the cost of future repair or replacement of a

1 permanent prosthetic device shall be paid to the treasurer
2 of state as the custodian of the second injury fund for
3 administration pursuant to section 85.65, subsection 2, section
4 85.66, and section 85.67A.

5 c. Notwithstanding any other provision of this chapter,
6 moneys identified for the purpose of covering the estimated
7 cost of future repair or replacement of a permanent prosthetic
8 device shall not be used to calculate an injured worker's
9 compensation schedule.

10 Sec. _____. Section 85.45, Code 2022, is amended by adding the
11 following new subsection:

12 NEW SUBSECTION. 4. When commuting future payments pursuant
13 to this section, if the claim for workers' compensation
14 benefits was related to an injury that resulted in the injured
15 worker needing a medically necessary permanent prosthetic
16 device or an alteration of an existing medically necessary
17 permanent prosthetic device, a portion of the lump sum payment
18 must be designated for the purpose of covering the estimated
19 cost of repair or replacement of the permanent prosthetic
20 device. Moneys identified pursuant to this subsection shall
21 be paid to the treasurer of state as custodian of the second
22 injury fund for administration pursuant to section 85.65,
23 subsection 2, section 85.66, and section 85.67A.

24 Sec. _____. Section 85.48, Code 2022, is amended to read as
25 follows:

26 **85.48 Partial commutation.**

27 1. When partial commutation is ordered, the workers'
28 compensation commissioner shall fix the lump sum to be paid
29 at an amount which will equal the future payments for the
30 period commuted, capitalized at their present value upon the
31 basis of interest at the rate provided in section 535.3 for
32 court judgments and decrees. Provisions shall be made for the
33 payment of weekly compensation not included in the commutation
34 with all remaining payments to be paid over the same period
35 of time as though the commutation had not been made by either

1 eliminating weekly payments from the first or last part of the
2 payment period or by a pro rata reduction in the weekly benefit
3 amount over the entire payment period.

4 2. When commuting future payments pursuant to this
5 section, if the claim for workers' compensation benefits was
6 related to an injury that resulted in the injured worker
7 needing a medically necessary permanent prosthetic device or
8 an alteration of an existing medically necessary permanent
9 prosthetic device, a portion of the lump sum payment must be
10 designated for the purposes of covering the estimated cost
11 of repair or replacement of the permanent prosthetic device.
12 Moneys identified pursuant to this subsection shall be paid to
13 the treasurer of state as custodian of the second injury fund
14 for administration pursuant to section 85.65, subsection 2,
15 section 85.66, and section 85.67A.

16 Sec. _____. Section 85.61, Code 2022, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 01. "*Alteration*" means a material change
19 to a permanent prosthetic device that is necessary due to an
20 employee's injury, without which would not allow the injured
21 employee use of the prosthetic device as effectively as prior
22 to the injury.

23 Sec. _____. Section 85.65, Code 2022, is amended to read as
24 follows:

25 **85.65 Payments to second injury fund.**

26 1. The employer, or, if insured, the insurance carrier in
27 each case of compensable injury causing death, shall pay to
28 the treasurer of state for the second injury fund the sum of
29 twelve thousand dollars in a case where there are dependents
30 and forty-five thousand dollars in a case where there are no
31 dependents. The payment shall be made at the time compensation
32 payments are begun, or at the time the burial expenses are
33 paid in a case where there are no dependents. However, the
34 payments shall be required only in cases of injury resulting in
35 death coming within the purview of this chapter and occurring

1 after July 1, 1978. These payments shall be in addition to
2 any payments of compensation to injured employees or their
3 dependents, or of burial expenses as provided in this chapter.

4 2. a. The employer, or, if insured, the insurance carrier
5 shall pay to the treasurer of state for the second injury
6 fund the sum of moneys designated for the purpose of covering
7 the estimated cost of repair or replacement of a permanent
8 prosthetic device for an injured worker pursuant to section
9 85.35, 85.45, or 85.48.

10 b. (1) Upon receipt of moneys pursuant to paragraph "a",
11 the treasurer of state shall credit the employee for the full
12 amount received.

13 (2) Moneys received by the treasurer of state pursuant to
14 this paragraph for a permanent prosthetic device that was not
15 medically necessary prior to an injury shall be credited to
16 the injured worker in a new account relating to that permanent
17 prosthetic device.

18 (3) Moneys received by the treasurer of state pursuant to
19 this paragraph for an existing permanent prosthetic device that
20 requires alteration due to an injury shall be credited to the
21 employee's account relating to that prosthetic device if one
22 exists, or credited to a new account if one is not in existence
23 for that prosthetic device.

24 c. Moneys credited to an employee pursuant to this
25 subsection may only be used for the purposes designated in
26 section 85.67A and only in relation to the permanent prosthetic
27 device for which the account was created.

28 Sec. _____. Section 85.66, subsection 2, Code 2022, is amended
29 to read as follows:

30 2. The treasurer of state is charged with the conservation
31 of the assets of the second injury fund. Moneys collected in
32 the second injury fund shall be disbursed only for the purposes
33 stated in this subchapter, and shall not at any time be
34 appropriated or diverted to any other use or purpose. ~~Except~~
35 ~~for reimbursements to the attorney general provided for in~~

1 ~~section 85.67, disbursements~~ Disbursements from the fund shall
2 only be paid by the treasurer of state ~~only~~ for reimbursements
3 pursuant to section 85.67, for payments pursuant to section
4 85.67A, or upon the written order of the workers' compensation
5 commissioner. The treasurer of state shall invest any surplus
6 moneys of the fund in securities which constitute legal
7 investments for state funds under the laws of this state, and
8 may sell any of the securities in which the fund is invested,
9 if necessary, for the proper administration or in the best
10 interests of the fund.

11 Sec. _____. NEW SECTION. 85.67A Administration of fund —
12 permanent prosthetic devices.

13 1. For the purposes of this section:

14 a. "*Prosthetic device*" or "*device*" means a permanent
15 prosthetic device for which an account has been established
16 pursuant to section 85.65, subsection 2.

17 b. "*Prosthetics supplier*" means a person or business who
18 makes or repairs permanent prosthetic devices.

19 c. "*Voucher*" means a written statement that identifies all
20 of the following:

21 (1) The prosthetic device requiring repair or replacement.

22 (2) Whether the device appears to require repair or
23 replacement and the reason the device requires repair or
24 replacement.

25 (3) The exact amount, including taxes, necessary to pay for
26 the repair or replacement of the device.

27 2. The treasurer of state shall pay moneys from an account
28 established pursuant to section 85.65, subsection 2, to
29 a prosthetics supplier for the replacement or repair of a
30 prosthetic device upon the receipt of a voucher.

31 3. a. If an employee dies prior to receiving all moneys
32 credited to the employee pursuant to section 85.65, subsection
33 2, the treasurer of state shall pay the remaining moneys to the
34 employer which originally contributed such moneys.

35 b. If an employer cannot be paid pursuant to paragraph

1 "a", the treasurer of state shall pay remaining moneys to the
2 insurer named in relation to the claim from which the credits
3 arose.

4 c. If an employer or insurer cannot be paid pursuant
5 to paragraphs "a" and "b", the treasurer of state shall pay
6 remaining moneys to the employee's beneficiaries.

7 d. If the employee did not designate any beneficiaries,
8 remaining moneys shall be paid to the employee's estate.

9 4. The labor commissioner and the commissioner of
10 insurance may adopt rules pursuant to chapter 17A to implement
11 this section. Such rules may include guidelines for which
12 prosthetics suppliers may provide a repair or replacement
13 for a prosthetic device, the form a voucher must take, and
14 information in addition to content described in subsection 1,
15 paragraph "c", that must appear on a voucher.>

16 2. By renumbering as necessary.

H-8393 FILED MAY 24, 2022

CONCURRED

SENATE AMENDMENT TO
HOUSE FILE 2558

H-8387

1 Amend House File 2558, as amended, passed, and reprinted by
2 the House, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

5 <Section 1. JUDICIAL BRANCH.

6 1. There is appropriated from the general fund of the state
7 to the judicial branch for the fiscal year beginning July 1,
8 2022, and ending June 30, 2023, the following amounts, or so
9 much thereof as is necessary, to be used for the purposes
10 designated:

11 a. For salaries of supreme court justices, appellate court
12 judges, district court judges, district associate judges,
13 associate juvenile judges, associate probate judges, judicial
14 magistrates and staff, state court administrator, clerk of
15 the supreme court, district court administrators, clerks of
16 the district court, juvenile court officers, board of law
17 examiners, board of examiners of shorthand reporters, and
18 commission on judicial qualifications; receipt and disbursement
19 of child support payments; reimbursement of the auditor
20 of state for expenses incurred in completing audits of the
21 offices of the clerks of the district court during the fiscal
22 year beginning July 1, 2022; and maintenance, equipment, and
23 miscellaneous purposes:

24 \$190,100,550

25 From the moneys appropriated in this paragraph, the
26 judicial branch shall fund the appointment of four new district
27 associate judge positions and the associated support staff.

28 b. For deposit in the revolving fund created pursuant to
29 section 602.1302, subsection 3, for jury and witness fees,
30 mileage, costs related to summoning jurors, costs and fees for
31 interpreters and translators, and reimbursement of attorney
32 fees paid by the state public defender:

33 \$ 3,600,000

34 2. The judicial branch, except for purposes of internal
35 processing, shall use the current state budget system, the

1 state payroll system, and the Iowa finance and accounting
2 system in administration of programs and payments for services,
3 and shall not duplicate the state payroll, accounting, and
4 budgeting systems.

5 3. The judicial branch shall submit monthly financial
6 statements to the legislative services agency and the
7 department of management containing all appropriated accounts
8 in the same manner as provided in the monthly financial status
9 reports and personal services usage reports of the department
10 of administrative services. The monthly financial statements
11 shall include a comparison of the dollars and percentage
12 spent of budgeted versus actual revenues and expenditures on
13 a cumulative basis for full-time equivalent positions and
14 dollars.

15 4. The judicial branch shall focus efforts upon the
16 collection of delinquent fines, penalties, court costs, fees,
17 surcharges, or similar amounts.

18 5. It is the intent of the general assembly that the offices
19 of the clerks of the district court operate in all 99 counties
20 and be accessible to the public as much as is reasonably
21 possible in order to address the relative needs of the citizens
22 of each county. An office of the clerk of the district court
23 shall be open regular courthouse hours.

24 6. In addition to the requirements for transfers under
25 section 8.39, the judicial branch shall not change the
26 appropriations from the amounts appropriated to the judicial
27 branch in this Act, unless notice of the revisions is given to
28 the legislative services agency prior to the effective date.
29 The notice shall include information on the judicial branch's
30 rationale for making the changes and details concerning the
31 workload and performance measures upon which the changes are
32 based.

33 7. The judicial branch shall submit a semiannual update
34 to the legislative services agency specifying the amounts of
35 fines, surcharges, and court costs collected using the Iowa

1 court information system since the last report. The judicial
2 branch shall continue to facilitate the sharing of vital
3 sentencing and other information with other state departments
4 and governmental agencies involved in the criminal justice
5 system through the Iowa court information system.

6 8. The judicial branch shall provide a report to the general
7 assembly by January 1, 2023, concerning the amounts received
8 and expended from the court technology and modernization fund
9 created in section 602.8108, subsection 7, during the fiscal
10 year beginning July 1, 2021, and ending June 30, 2022, and the
11 plans for expenditures from each fund during the fiscal year
12 beginning July 1, 2022, and ending June 30, 2023.

13 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any
14 provision to the contrary, for the fiscal year beginning July
15 1, 2022, and ending June 30, 2023, if all parties in a case
16 agree, a civil trial including a jury trial may take place in a
17 county contiguous to the county with proper jurisdiction, even
18 if the contiguous county is located in an adjacent judicial
19 district or judicial election district. If the trial is moved
20 pursuant to this section, court personnel shall treat the case
21 as if a change of venue occurred.

22 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section
23 602.1509, for the fiscal year beginning July 1, 2022, and
24 ending June 30, 2023, a judicial officer may waive travel
25 reimbursement for any travel outside the judicial officer's
26 county of residence to conduct official judicial business.

27 Sec. 4. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding
28 the annual salary rates for judicial officers established
29 by this Act for the fiscal year beginning July 1, 2022, and
30 ending June 30, 2023, the supreme court may by order place all
31 judicial officers on unpaid leave status on any day employees
32 of the judicial branch are placed on temporary layoff status.
33 The biweekly pay of the judicial officers shall be reduced
34 accordingly for the pay period in which the unpaid leave date
35 occurred in the same manner as for noncontract employees of the

1 judicial branch. Through the course of the fiscal year, the
2 judicial branch may use an amount equal to the aggregate amount
3 of salary reductions due to the judicial officer unpaid leave
4 days for any purpose other than for judicial salaries.

5 Sec. 5. IOWA COMMUNICATIONS NETWORK. It is the intent
6 of the general assembly that the judicial branch utilize
7 the Iowa communications network or other secure electronic
8 communications in lieu of traveling for the fiscal year
9 beginning July 1, 2022, and ending June 30, 2023.

10 Sec. 6. STATE COURT — JUSTICES, JUDGES, AND MAGISTRATES.

11 1. The salary rates specified in subsection 2 are for the
12 fiscal year beginning July 1, 2022, effective for the pay
13 period beginning June 24, 2022, and for subsequent fiscal
14 years until otherwise provided by the general assembly. The
15 salaries provided for in this section shall be paid from moneys
16 allocated to the judicial branch from the salary adjustment
17 fund, or if the allocation is not sufficient, from moneys
18 appropriated to the judicial branch pursuant to this Act or any
19 other Act of the general assembly.

20 2. The following annual salary rates shall be paid to the
21 persons holding the judicial positions indicated during the
22 fiscal year beginning July 1, 2022, effective with the pay
23 period beginning June 24, 2022, and for subsequent pay periods:

24 a. Chief justice of the supreme court:

25 \$ 196,106

26 b. Each justice of the supreme court:

27 \$ 187,326

28 c. Chief judge of the court of appeals:

29 \$ 175,619

30 d. Each associate judge of the court of appeals:

31 \$ 169,765

32 e. Each chief judge of a judicial district:

33 \$ 163,910

34 f. Each district judge except the chief judge of a judicial
35 district:

H-8387 (Continued)

1 \$ 158,056
2 g. Each district associate judge:
3 \$ 140,495
4 h. Each associate juvenile judge:
5 \$ 140,495
6 i. Each associate probate judge:
7 \$ 140,495
8 j. Each judicial magistrate:
9 \$ 43,318
10 k. Each senior judge:
11 \$ 9,366
12 3. Persons receiving the salary rates established
13 under this section shall not receive any additional salary
14 adjustments provided by this Act or any other Act of the
15 general assembly.
16 Sec. 7. Section 46.3, subsections 1 and 3, Code 2022, are
17 amended to read as follows:
18 1. The governor shall appoint ~~five~~ six eligible electors
19 of each judicial election district to the district judicial
20 nominating commission.
21 3. No more than ~~a simple majority~~ half of the commissioners
22 appointed shall be of the same gender.
23 Sec. 8. Section 46.6, subsection 2, Code 2022, is amended
24 to read as follows:
25 2. ~~The judge of longest service in the district shall serve~~
26 ~~as the chair of a particular district judicial nominating~~
27 ~~commission. If the judges of longest service in the district~~
28 ~~are of equal service, the eldest of such judges shall be~~
29 ~~chairperson of the particular judicial nominating commission~~
30 commissioners of the district judicial nominating commission
31 shall elect a chairperson from their own number. The
32 chairperson shall serve a two-year term that expires on April
33 30 of even-numbered years. A commissioner may be reelected
34 for a second or third term as chairperson. If a chairperson
35 of a judicial nominating commission desires to be relieved

H-8387 (Continued)

1 of the duties of chairperson while retaining the status of
2 commissioner, the chairperson shall notify the governor and the
3 other commissioners of the commission. At the next meeting of
4 the commission, the commissioners shall elect a new chairperson
5 for the remainder of the two-year term.

6 Sec. 9. Section 602.1301, subsection 2, paragraph b, Code
7 2022, is amended to read as follows:

8 **b.** Before December 1, the supreme court shall submit to
9 the director of the department of management an estimate of
10 the total expenditure requirements of the judicial branch.
11 The director of the department of management shall submit
12 this estimate received from the supreme court to the governor
13 ~~for inclusion without change in the governor's proposed~~
14 ~~budget for the succeeding fiscal year.~~ The estimate shall
15 also be submitted to the chairpersons of the committees on
16 appropriations.

17 Sec. 10. Section 602.9116, Code 2022, is amended by adding
18 the following new subsection:

19 NEW SUBSECTION. 3. The court administrator shall submit
20 to the general assembly a copy of each actuarial valuation and
21 annual actuarial update.>

H-8387 FILED MAY 24, 2022

ADOPTED

HOUSE FILE 2558

H-8389

1 Amend the Senate amendment, H-8387, to House File 2558, as
2 amended, passed, and reprinted by the House as follows:

3 1. By striking page 5, line 23, through page 6, line 5, and
4 inserting:

5 <Sec. _____. Section 46.6, subsection 2, Code 2022, is amended
6 to read as follows:

7 2. The judge of longest service in the district shall
8 ~~serve as the chair of a particular on the~~ district judicial
9 nominating commission. If the judges of longest service in
10 the district are of equal service, the eldest of such judges
11 ~~shall be chairperson of the particular~~ serve on the judicial
12 nominating commission. The commissioners of the district
13 judicial nominating commission shall elect a chairperson from
14 their own number. The chairperson shall serve a two-year
15 term that expires on April 30 of even-numbered years. A
16 commissioner may be reelected for a second or third term
17 as chairperson. If a chairperson of a judicial nominating
18 commission desires to be relieved of the duties of chairperson
19 while retaining the status of commissioner, the chairperson
20 shall notify the governor and the other commissioners of
21 the commission. At the next meeting of the commission, the
22 commissioners shall elect a new chairperson for the remainder
23 of the two-year term.>

24 2. By renumbering as necessary.

By WORTHAN of Buena Vista

H-8389 FILED MAY 24, 2022

WITHDRAWN

HOUSE FILE 2558

H-8390

1 Amend the Senate amendment, H-8387, to House File 2558, as
2 amended, passed, and reprinted by the House, as follows:

3 1. Page 5, by striking lines 16 through 22 and inserting:

4 <Sec. _____. Section 46.3, subsection 3, Code 2022, is amended
5 to read as follows:

6 3. No more than ~~a simple majority~~ half of the commissioners
7 appointed shall be of the same gender.>

8 2. By striking page 5, line 23, through page 6, line 5, and
9 inserting:

10 <Sec. _____. Section 46.6, subsection 2, Code 2022, is amended
11 to read as follows:

12 2. The judge of longest service in the district shall
13 ~~serve as the chair of a particular on the~~ district judicial
14 nominating commission. If the judges of longest service in
15 the district are of equal service, the eldest of such judges
16 ~~shall be chairperson of the particular~~ serve on the judicial
17 nominating commission. The commissioners of the district
18 judicial nominating commission shall elect a chairperson from
19 their own number. The chairperson shall serve a two-year
20 term that expires on April 30 of even-numbered years. A
21 commissioner may be reelected for a second or third term
22 as chairperson. If a chairperson of a judicial nominating
23 commission desires to be relieved of the duties of chairperson
24 while retaining the status of commissioner, the chairperson
25 shall notify the governor and the other commissioners of
26 the commission. At the next meeting of the commission, the
27 commissioners shall elect a new chairperson for the remainder
28 of the two-year term.>

29 3. By renumbering as necessary.

By WORTHAN of Buena Vista

H-8390 FILED MAY 24, 2022

ADOPTED

SENATE AMENDMENT TO
HOUSE FILE 2573

H-8391

1 Amend House File 2573, as passed by the House, as follows:

2 1. Page 1, after line 28 by inserting:

3 <Sec. _____. Section 135.190, subsection 1, paragraph d, Code
4 2022, is amended to read as follows:

5 *d. "Person in a position to assist" means a family member,*
6 *friend, caregiver, health care provider, employee of a*
7 *substance abuse treatment facility, school employee, or other*
8 *person who may be in a place to render aid to a person at risk*
9 *of experiencing an opioid-related overdose.*

10 Sec. _____. Section 135.190, Code 2022, is amended by adding
11 the following new subsection:

12 NEW SUBSECTION. 4A. A school district may obtain a valid
13 prescription for an opioid antagonist and maintain a supply of
14 opioid antagonists in a secure location at each location where
15 a student may be present for use as provided in this section.>

16 2. Page 3, after line 4 by inserting:

17 <Sec. _____. APPROPRIATION — OPIOID SETTLEMENT FUND. There
18 is appropriated from the opioid settlement fund created in
19 section 12.51 to the department of justice for the fiscal year
20 beginning July 1, 2022, and ending June 30, 2023, the following
21 amount, or so much thereof as is necessary, to be used for
22 a medication addiction treatment program administered by the
23 university of Iowa hospitals and clinics:

24 \$ 3,800,000

25 Notwithstanding section 8.33, moneys appropriated in this
26 section that remain unencumbered or unobligated at the close of
27 the fiscal year shall not revert but shall remain available for
28 expenditure for the purposes designated until the close of the
29 succeeding fiscal year.>

30 3. Title page, by striking line 2 and inserting <to opioid
31 use, allowing school districts to obtain opioid antagonist
32 prescriptions, and making an appropriation.>

33 4. By renumbering as necessary.

H-8391 (Continued)

H-8391 FILED MAY 24, 2022

HOUSE FILE 2589

H-8394

1 Amend House File 2589 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I

5 STANDING APPROPRIATIONS AND RELATED MATTERS

6 Section 1. LIMITATIONS OF STANDING APPROPRIATIONS — FY
7 2022-2023. Notwithstanding the standing appropriation in the
8 following designated section for the fiscal year beginning July
9 1, 2022, and ending June 30, 2023, the amount appropriated from
10 the general fund of the state pursuant to that section for the
11 following designated purpose shall not exceed the following
12 amount:

13 For payment of claims for nonpublic school pupil
14 transportation under section 285.2:

15 \$ 8,997,091

16 If total approved claims for reimbursement for nonpublic
17 school pupil transportation exceed the amount appropriated in
18 accordance with this section, the department of education shall
19 prorate the amount of each approved claim.

20 Sec. 2. INSTRUCTIONAL SUPPORT STATE AID — FY 2022-2023. In
21 lieu of the appropriation provided in section 257.20,
22 subsection 2, the appropriation for the fiscal year
23 beginning July 1, 2022, and ending June 30, 2023, for paying
24 instructional support state aid under section 257.20 for the
25 fiscal year is zero.

26 Sec. 3. SPECIAL FUNDS — SALARY ADJUSTMENTS —
27 UNAPPROPRIATED MONEYS — FY 2022-2023. For the fiscal year
28 beginning July 1, 2022, and ending June 30, 2023, salary
29 adjustments otherwise provided may be funded as determined
30 by the department of management, subject to any applicable
31 constitutional limitation, using unappropriated moneys
32 remaining in the department of commerce revolving fund, the
33 gaming enforcement revolving fund, the gaming regulatory
34 revolving fund, the primary road fund, the road use tax
35 fund, the fish and game protection fund, and the Iowa public

1 employees' retirement fund, and in other departmental
2 revolving, trust, or special funds for which the general
3 assembly has not made an operating budget appropriation.

4 Sec. 4. Section 257.35, Code 2022, is amended by adding the
5 following new subsection:

6 NEW SUBSECTION. 16A. a. Notwithstanding subsection 1, and
7 in addition to the reductions applicable pursuant to subsection
8 2 and paragraph "b" of this subsection, the state aid for area
9 education agencies and the portion of the combined district
10 cost calculated for these agencies related to expenditures
11 other than expenditures for professional development for the
12 fiscal year beginning July 1, 2022, and ending June 30, 2023,
13 shall be reduced by the department of management by fifteen
14 million dollars. The reduction for each area education agency
15 shall be prorated based on the reduction that the agency
16 received in the fiscal year beginning July 1, 2003.

17 b. Notwithstanding subsection 1, and in addition to
18 the reductions applicable pursuant to subsection 2 and
19 paragraph "a" of this subsection, the state aid for area
20 education agencies and the portion of the combined district
21 cost calculated for these agencies related to professional
22 development expenditures for the fiscal year beginning July
23 1, 2022, and ending June 30, 2023, shall be reduced by the
24 department of management by an amount equal to the sum of the
25 area education agency professional development supplement
26 district cost for all area education agencies determined under
27 section 257.37A, subsection 2, for the budget year beginning
28 July 1, 2022. The reduction for each area education agency
29 shall be equal to the area education agency's professional
30 development district cost determined under section 257.37A,
31 subsection 2, for the budget year beginning July 1, 2022.
32 The amounts reduced under this paragraph shall be considered
33 funds paid to school districts and area education agencies
34 under chapter 284 for purposes of requirements for providing
35 professional development opportunities.

DIVISION II

CORRECTIVE PROVISIONS

1
2
3 Sec. 5. Section 45.1, subsection 7, paragraph a, Code 2022,
4 as amended by 2022 Iowa Acts, House File 2466, section 3, is
5 amended to read as follows:

6 a. For a supervisor district with a population of greater
7 than fifteen thousand but ~~fewer~~ no more than fifty thousand
8 according to the most recent federal decennial census,
9 nomination petitions shall include at least fifty signatures.

10 Sec. 6. Section 80E.2, subsection 2, Code 2022, as amended
11 by 2022 Iowa Acts, House File 2367, section 2, is amended to
12 read as follows:

13 2. The prosecuting attorney, certified alcohol and drug
14 counselor, certified substance abuse prevention specialist,
15 substance use disorder treatment program director, member
16 representing the Iowa peace officers association, member
17 representing the Iowa state police association, the
18 member representing the Iowa state sheriffs' and deputies'
19 association, and the member ~~representing the Iowa police chiefs~~
20 ~~association~~ who is a police chief shall be appointed by the
21 governor, subject to senate confirmation, for four-year terms
22 beginning and ending as provided in section 69.19. A vacancy
23 on the council shall be filled for the unexpired term in the
24 same manner as the original appointment was made.

25 Sec. 7. Section 124.204, subsection 2, paragraph c1, as
26 enacted by 2022 Iowa Acts, House File 2201, section 1, is
27 amended to read as follows:

28 c1. N-(1-phenethylpiperidin-4-yl)
29 -N-phenylcyclopentanecarboxamide. Other name: ~~cyclopentanyl~~
30 cyclopentyl fentanyl.

31 Sec. 8. Section 147.77, subsection 1, paragraph 1, as
32 enacted by 2022 Iowa Acts, House File 803, section 51, is
33 amended to read as follows:

34 1. The department of public safety, with respect to rules
35 relating to permits to carry weapons, that a person who is

1 an unlawful user of or addicted to any controlled substance
2 includes any person who is a current user of a controlled
3 substance in a manner other than as prescribed by a licensed
4 physician.

5 Sec. 9. Section 147.77, subsection 1, paragraph p,
6 subparagraph (3), as enacted by 2022 Iowa Acts, House File 803,
7 section 51, is amended to read as follows:

8 (3) For applications for a license to practice asbestos
9 removal, that except as noted in rule, only worker and
10 contractor/supervisor license applicants must submit a the
11 respiratory protection and physician's certification forms.

12 Sec. 10. Section 249A.42A, subsection 2, as enacted by 2022
13 Iowa Acts, House File 736, section 1, is amended to read as
14 follows:

15 2. The provider documented the eligibility verification
16 performed and any necessary prior authorization obtained
17 pursuant to ~~paragraph "a"~~ subsection 1 in a manner and format
18 established by the department by rule, and retained the
19 required documentation in the recipient's file.

20 Sec. 11. Section 261.116, subsection 7, Code 2022, as
21 amended by 2022 Iowa Acts, Senate File 2383, section 16, if
22 enacted, is amended to read as follows:

23 6. *Health care award fund.* A health care award fund is
24 created for deposit of moneys appropriated to or received by
25 the commission for use under the program. Notwithstanding
26 section 8.33, moneys deposited in the health care award
27 fund shall not revert to any fund of the state at the
28 end of any fiscal year but shall remain in the award fund
29 and be continuously available for use under the program.
30 Notwithstanding section 12C.7, subsection 2, interest or
31 earnings on moneys deposited in the health care award fund
32 shall be credited to the fund.

33 Sec. 12. Section 441.1, subsection 3, paragraph d, as
34 enacted by 2022 Iowa Acts, Senate File 384, section 1, is
35 amended to read as follows:

1 d. The provisions of chapter 28E are applicable to this
2 ~~section~~ subsection.

3 Sec. 13. Section 600.5, subsection 9A, as enacted by 2022
4 Iowa Acts, House File 2252, section 6, is amended to read as
5 follows:

6 9A. If the parents of the person to be adopted had their
7 parental rights terminated pursuant to chapter 232, the
8 petition shall ~~included~~ include the names of any known siblings
9 placed separately from the person to be adopted and either the
10 plan for ongoing contact between the siblings if a court found
11 that continued contact is in the best interest of each sibling
12 or a statement that the court found continued contact between
13 the siblings is not in the best interest of each sibling.

14 Sec. 14. Section 692A.102, subsection 1, paragraph c,
15 subparagraph (012), if enacted by 2022 Iowa Acts, Senate File
16 529, section 6, is amended to read as follows:

17 NEW SUBPARAGRAPH. (012) Sexual abuse in the fourth
18 degree in violation of section 709.4A, subsection 3, if the
19 perpetrator is a health care professional as defined in section
20 714I.2, who used or provided the health care professional's
21 own human reproductive material for assisted reproduction in
22 violation of section 714I.3, subsection 2.

23 Sec. 15. 2022 Iowa Acts, House File 2200, section 3, is
24 amended to read as follows:

25 SEC. 3. APPLICABILITY. This Act applies to direct health
26 care agreements that are fully executed on or after the
27 effective date of enactment this Act.

28 Sec. 16. 2022 Iowa Acts, House File 2201, section 7, is
29 amended by striking the section and inserting in lieu thereof
30 the following:

31 SEC. 7. Section 124.206, subsection 2, paragraph a,
32 unnumbered paragraph 1, Code 2022, is amended by striking
33 the unnumbered paragraph and inserting in lieu thereof the
34 following:

35 Opium and opiate, and any salt, compound, derivative,

1 or preparation of opium or opiate excluding apomorphine,
2 thebaine-derived butorphanol, dextrorphan, nalbuphine,
3 naldemedine, nalmefene, naloxegol, naloxone, 6beta-naltrexol,
4 naltrexone, and samidorphan, and their respective salts, but
5 including the following:

6 Sec. 17. 2022 Iowa Acts, Senate File 2295, section 184, is
7 amended by striking the section and inserting in lieu thereof
8 the following:

9 SEC. 184. 2020 Iowa Acts, chapter 1064, sections 17 and
10 18, are amended by striking the sections and inserting in lieu
11 thereof the following:

12 SEC. 17. Section 422.12D, subsection 2, Code 2022, is
13 amended to read as follows:

14 2. The director of revenue shall draft the income tax form
15 to allow the designation of contributions to the veterans trust
16 fund and to the volunteer fire fighter preparedness fund as
17 one checkoff on the tax return. The department of revenue,
18 on or before January 31, shall transfer one-half of the total
19 amount designated on the tax return forms due in the preceding
20 calendar year to the veterans trust fund and the remaining
21 one-half to the volunteer fire fighter preparedness fund.
22 However, before a checkoff pursuant to this section shall be
23 permitted, all liabilities on the books of the department of
24 ~~administrative services~~ and accounts identified as owing under
25 section ~~8A.504~~ 421.65 shall be satisfied.

26 SEC. 18. Section 422.12L, subsection 2, Code 2022, is
27 amended to read as follows:

28 2. The director of revenue shall draft the income tax form
29 to allow the designation of contributions to the foundation
30 fund on the tax return. The department, on or before January
31 31, shall transfer the total amount designated on the tax
32 form due in the preceding year to the foundation fund.
33 However, before a checkoff pursuant to this section shall be
34 permitted, all liabilities on the books of the department of
35 ~~administrative services~~ and accounts identified as owing under

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1 section ~~8A.504~~ 421.65 shall be satisfied.

2 Sec. 18. CONTINGENT REPEAL. 2022 Iowa Acts, House File
3 2581, section 13, if enacted, is repealed.

4 Sec. 19. CODE EDITOR DIRECTIVES.

5 1. If Senate File 496 is enacted during the 2022 session
6 of the Eighty-ninth General Assembly, the Code editor is
7 directed to transfer the Code sections as enacted by that Act
8 as follows:

9 a. Section 94.1 to section 94B.1.

10 b. Section 94.2 to section 94B.2.

11 2. The Code editor is directed to renumber section 331.301,
12 subsection 18, as enacted by 2022 Iowa Acts, House File 728, to
13 become section 331.301, subsection 21.

14 3. The Code editor shall correct internal references in the
15 Code and in any enacted legislation as necessary due to the
16 enactment of this section.

17 Sec. 20. EFFECTIVE DATE. The following, being deemed of
18 immediate importance, take effect upon enactment:

19 1. The section of this division of this Act amending section
20 124.204, subsection 2, paragraph "cl".

21 2. The section of this division of this Act amending 2022
22 Iowa Acts, House File 2200, section 3.

23 3. The section of this division of this Act amending 2022
24 Iowa Acts, House File 2201, section 7.

25 Sec. 21. RETROACTIVE APPLICABILITY. The following apply
26 retroactively to May 2, 2022:

27 1. The section of this division of this Act amending section
28 124.204, subsection 2, paragraph "cl".

29 2. The section of this division of this Act amending 2022
30 Iowa Acts, House File 2201, section 7.

31 Sec. 22. RETROACTIVE APPLICABILITY. The section of this
32 division of this Act amending 2022 Iowa Acts, House File 2200,
33 section 3, applies retroactively to May 12, 2022.

34 DIVISION III

35 OFFICE OF THE CHIEF INFORMATION OFFICER

1 Sec. 23. Section 8B.2, Code 2022, is amended to read as
2 follows:

3 **8B.2 Office ~~created~~ established — chief information officer**
4 **~~appointed~~ selected.**

5 1. The office of the chief information officer is ~~created~~
6 ~~as an independent agency and is attached to the department of~~
7 ~~administrative services for accounting and fiscal services.~~
8 ~~The department of administrative services shall provide such~~
9 ~~additional assistance and administrative support services to~~
10 ~~the office as the department of administrative services and the~~
11 ~~office determines maximizes the efficiency and effectiveness~~
12 ~~of both the department and office established within the~~
13 ~~department of management.~~

14 2. The chief information officer, who shall be the head
15 of the office, shall be ~~appointed by the governor to serve at~~
16 ~~the pleasure of the governor and is subject to confirmation by~~
17 ~~the senate. If the office becomes vacant, the vacancy shall~~
18 ~~be filled in the same manner as provided for the original~~
19 ~~appointment selected by the director of the department of~~
20 ~~management. The director of the department of management shall~~
21 ~~set the salary of the chief information officer.~~

22 3. The person ~~appointed~~ selected as the chief information
23 officer for the state shall be professionally qualified by
24 education and have no less than five years' experience in the
25 field of information technology, and a working knowledge of
26 financial management. ~~The chief information officer shall~~
27 ~~not be a member of any local, state, or national committee~~
28 ~~of a political party, an officer or member of a committee in~~
29 ~~any partisan political club or organization, or hold or be~~
30 ~~a candidate for a paid elective public office. The chief~~
31 ~~information officer is subject to the restrictions on political~~
32 ~~activity provided in section 8A.416.~~

33 Sec. 24. Section 8D.3, subsection 2, paragraph b, Code 2022,
34 is amended to read as follows:

35 b. The auditor of state or the auditor's designee and

1 the chief information officer ~~appointed~~ selected pursuant to
2 section 8B.2 or the chief information officer's designee shall
3 serve as nonvoting, ex officio members of the commission.

4 Sec. 25. Section 11.5B, subsection 15, Code 2022, is amended
5 to read as follows:

6 15. Office of the chief information officer of the
7 department of management.

8 Sec. 26. 2008 Iowa Acts, chapter 1191, section 14,
9 subsection 7, as amended by 2010 Iowa Acts, chapter 1193,
10 section 26, is amended to read as follows:

11 7. The following are range 7 positions: administrator
12 of the public broadcasting division of the department of
13 education, director of the department of corrections, director
14 of the department of education, director of human services,
15 director of the department of economic development, executive
16 director of the Iowa telecommunications and technology
17 commission, executive director of the state board of regents,
18 director of transportation, director of the department of
19 workforce development, director of revenue, director of
20 public health, state court administrator, director of the
21 department of management, ~~chief information officer~~, state debt
22 coordinator, and director of the department of administrative
23 services.

24 Sec. 27. EFFECTIVE DATE. This division of this Act, being
25 deemed of immediate importance, takes effect upon enactment.

26 Sec. 28. APPLICABILITY. This division of this Act, as it
27 relates to the salary of the chief information officer, applies
28 with the pay period beginning after the effective date of this
29 division of this Act, and subsequent pay periods.

30 DIVISION IV

31 CONDUCT OF ELECTIONS — FUNDING

32 Sec. 29. NEW SECTION. **49.17 Conduct of elections —**
33 **funding.**

34 1. The state commissioner or a county commissioner or
35 political subdivision of the state shall only accept funding

1 from the following sources for the purposes of conducting an
2 election:

3 *a.* Lawful appropriations of public moneys from the
4 government of the United States.

5 *b.* Lawful appropriations of public moneys from the state of
6 Iowa.

7 *c.* Lawful appropriations of public moneys from a political
8 subdivision of the state for the conduct of an election in the
9 political subdivision.

10 2. The state commissioner, a county commissioner, or a
11 political subdivision of the state shall not accept or expend
12 a grant, gift, or other source of funding from a source other
13 than those listed in subsection 1, including from a private
14 person, corporation, partnership, political party, nonparty
15 political organization, committee as defined in section
16 68A.102, or other organization for the purpose of conducting
17 an election.

18 3. This section does not prohibit the state commissioner or
19 a county commissioner or political subdivision from issuing and
20 collecting fees as otherwise provided by law.

21 4. This section does not apply to the contribution of a
22 building for use as a polling place pursuant to section 49.21.

23 Sec. 30. EFFECTIVE DATE. This division of this Act, being
24 deemed of immediate importance, takes effect upon enactment.

25 DIVISION V

26 OPEN ENROLLMENT

27 Sec. 31. Section 256F.9, Code 2022, is amended to read as
28 follows:

29 **256F.9 Procedures after revocation — student enrollment.**

30 If a charter school or innovation zone school contract is
31 revoked in accordance with this chapter, a nonresident student
32 who attended the school, and any siblings of the student,
33 ~~shall be determined to have shown "good cause" as provided in~~
34 ~~section 282.18, subsection 4, paragraph "b", and may submit an~~
35 application to another school district according to section

1 282.18 ~~at any time.~~ Applications and notices required by
2 section 282.18 shall be processed and provided in a prompt
3 manner. ~~The application and notice deadlines in section 282.18~~
4 ~~do not apply to a nonresident student application under these~~
5 ~~circumstances.~~

6 Sec. 32. Section 282.18, subsection 2, paragraphs a and b,
7 Code 2022, are amended to read as follows:

8 ~~a. By March 1 of the preceding school year for students~~
9 ~~entering grades one through twelve, or by September 1 of the~~
10 ~~current school year for students entering kindergarten or~~
11 ~~for prekindergarten students enrolled in special education~~
12 ~~programs and included in the school district's basic enrollment~~
13 ~~under section 257.6, subsection 1, paragraph "a", subparagraph~~
14 ~~(1), the A parent or guardian shall send notification to the~~
15 ~~district of residence and the receiving district, on forms~~
16 ~~prescribed by the department of education, that the parent or~~
17 ~~guardian intends to enroll the parent's or guardian's child~~
18 ~~in a public school in another school district. If a parent~~
19 ~~or guardian fails to file a notification that the parent~~
20 ~~intends to enroll the parent's or guardian's child in a public~~
21 ~~school in another district by the deadline specified in this~~
22 ~~subsection, the procedures of subsection 4 apply.~~

23 ~~b. The board of the receiving district shall enroll the~~
24 ~~pupil in a school in the receiving district for the following~~
25 ~~school year unless the receiving district has insufficient~~
26 ~~classroom space for the pupil. The board of directors~~
27 ~~of a receiving district may adopt a policy granting the~~
28 ~~superintendent of the school district authority to approve open~~
29 ~~enrollment applications. If the request is granted, the board~~
30 ~~shall transmit a copy of the form to the parent or guardian and~~
31 ~~the school district of residence within five days after board~~
32 ~~action, but not later than June 1 of the preceding school year.~~
33 ~~The parent or guardian may withdraw the request at any time~~
34 ~~prior to the start of the school year board's action on the~~
35 ~~application. A denial of a request by the board of a receiving~~

1 district is not subject to appeal.

2 Sec. 33. Section 282.18, subsection 3, paragraph a, Code
3 2022, is amended to read as follows:

4 a. The superintendent of a district subject to court-ordered
5 desegregation may deny a request for transfer under this
6 section if the superintendent finds that enrollment or release
7 of a pupil will adversely affect the district's implementation
8 of the desegregation order, unless the transfer is requested
9 by a pupil whose sibling is already participating in open
10 enrollment to another district, or unless the request for
11 transfer is submitted to the district ~~in a timely manner as~~
12 ~~required under subsection 2~~ prior to implementation of the
13 desegregation order by the district. If a transfer request
14 would facilitate implementation of a desegregation order, the
15 district shall give priority to granting the request over other
16 requests.

17 Sec. 34. Section 282.18, subsections 4, 5, and 15, Code
18 2022, are amended by striking the subsections.

19 Sec. 35. Section 282.18, subsection 6, Code 2022, is amended
20 to read as follows:

21 6. A request under this section is for a period of not less
22 than one year. If the request is for more than one year and
23 the parent or guardian desires to have the pupil enroll in a
24 different district, the parent or guardian may petition the
25 current receiving district ~~by March 1 of the previous school~~
26 ~~year~~ for permission to enroll the pupil in a different district
27 for a period of not less than one year. Upon receipt of such a
28 request, the current receiving district board may act on the
29 request to transfer to the other school district at the next
30 regularly scheduled board meeting after the receipt of the
31 request. The new receiving district shall enroll the pupil
32 in the district unless there is insufficient classroom space
33 in the district or the district is subject to court-ordered
34 desegregation and enrollment of the pupil would adversely
35 affect implementation of the desegregation order. A denial of

1 a request to change district enrollment ~~within the approved~~
2 ~~period~~ is not subject to appeal. ~~However, a~~ A pupil who has
3 been in attendance in another district under this section
4 may return to the district of residence and enroll at any
5 time, once the parent or guardian has notified the district of
6 residence and the receiving district in writing of the decision
7 to enroll the pupil in the district of residence.

8 Sec. 36. Section 282.18, subsection 7, Code 2022, is amended
9 by adding the following new paragraph:

10 NEW PARAGRAPH. c. If a pupil participating in open
11 enrollment attends school in the receiving district for less
12 than a full school year, payment from the district of residence
13 to the receiving district shall be prorated on a per diem
14 basis.

15 Sec. 37. Section 282.18, subsection 11, paragraph a,
16 subparagraph (8), Code 2022, is amended to read as follows:

17 (8) If the pupil participates in open enrollment because
18 of circumstances that meet the definition of good cause ~~under~~
19 ~~subsection 4, paragraph "b"~~. For purposes of this subparagraph,
20 "good cause" means a change in a child's residence due to a
21 change in family residence, a change in a child's residence
22 from the residence of one parent or guardian to the residence
23 of different parent or guardian, a change in the state in
24 which the family residence is located, a change in a child's
25 parents' marital status, a guardianship or custody proceeding,
26 placement in foster care, adoption, participation in a foreign
27 exchange program, initial placement of a prekindergarten
28 student in a special education program requiring specially
29 designed instruction, or participation in a substance abuse
30 or mental health treatment program, a change in the status of
31 a child's resident district such as removal of accreditation
32 by the state board, surrender of accreditation, or permanent
33 closure of a nonpublic school, revocation of a charter school
34 contract as provided in section 256E.10 or 256F.8, the failure
35 of negotiations for a whole grade sharing, reorganization,

1 dissolution agreement, or the rejection of a current whole
2 grade sharing agreement, or reorganization plan.

3 Sec. 38. Section 290.1, Code 2022, is amended to read as
4 follows:

5 **290.1 Appeal to state board.**

6 An affected pupil, or the parent or guardian of an affected
7 pupil who is a minor, who is aggrieved by a decision or order
8 of the board of directors of a school corporation in a matter
9 of law or fact, ~~or a decision or order of a board of directors~~
10 ~~under section 282.18, subsection 5,~~ may, within thirty days
11 after the rendition of the decision or the making of the order,
12 appeal the decision or order to the state board of education;
13 the basis of the proceedings shall be an affidavit filed with
14 the state board by the party aggrieved within the time for
15 taking the appeal, which affidavit shall set forth any error
16 complained of in a plain and concise manner.

17 Sec. 39. EMERGENCY RULES. The department of education may
18 adopt emergency rules under section 17A.4, subsection 3, and
19 section 17A.5, subsection 2, paragraph "b", to implement the
20 provisions of this division of this Act and the rules shall
21 be effective immediately upon filing unless a later date is
22 specified in the rules. Any rules adopted in accordance with
23 this section shall also be published as a notice of intended
24 action as provided in section 17A.4.

25 Sec. 40. EFFECTIVE DATE. This division of this Act, being
26 deemed of immediate importance, takes effect upon enactment.

27 DIVISION VI

28 SHARED OPERATIONAL FUNCTIONS

29 Sec. 41. Section 257.11, subsection 5, paragraph a, Code
30 2022, is amended to read as follows:

31 a. (1) In order to provide additional funding to increase
32 student opportunities and redirect more resources to student
33 programming for school districts that share operational
34 functions, a district that shares with a political subdivision
35 one or more operational functions of a curriculum director,

1 master social worker, independent social worker, work-based
2 learning coordinator, special education director, mental
3 health professional who holds a statement of recognition
4 issued by the board of educational examiners, college
5 and career transition counselor or coordinator, or school
6 counselor, or one or more operational functions in the areas
7 of superintendent management, business management, human
8 resources, transportation, or operation and maintenance for at
9 least twenty percent of the school year shall be assigned a
10 supplementary weighting for each shared operational function.
11 A school district that shares an operational function in
12 the area of superintendent management shall be assigned a
13 supplementary weighting of eight pupils for the function. A
14 school district that shares an operational function in the area
15 of business management, human resources, transportation, or
16 operation and maintenance shall be assigned a supplementary
17 weighting of five pupils for the function. A school district
18 that shares the operational functions of a curriculum director;
19 a master social worker or an independent social worker
20 licensed under chapters 147 and 154C; a work-based learning
21 coordinator; a special education director; a mental health
22 professional who holds a statement of recognition issued by
23 the board of educational examiners; a college and career
24 transition counselor or coordinator; or a school counselor
25 shall be assigned a supplementary weighting of three pupils
26 for the function. The additional weighting shall be assigned
27 for each discrete operational function shared. However, a
28 school district may receive the additional weighting under this
29 subsection for sharing the services of an individual with a
30 political subdivision even if the type of operational function
31 performed by the individual for the school district and the
32 type of operational function performed by the individual
33 for the political subdivision are not the same operational
34 function, so long as both operational functions are eligible
35 for weighting under this subsection. In such case, the school

1 district shall be assigned the additional weighting for the
2 type of operational function that the individual performs for
3 the school district, and the school district shall not receive
4 additional weighting for any other function performed by the
5 individual. The operational function sharing arrangement does
6 not need to be a newly implemented sharing arrangement to
7 receive supplementary weighting under this subsection.

8 (2) For the purposes of this paragraph "a":

9 (a) "College and career transition counselor or coordinator"
10 means a licensed school counselor or an appropriately trained
11 individual responsible for providing direct services to
12 students, parents, families, schools, and postsecondary
13 institutions to support college preparation and postsecondary
14 success, such as college preparation, financial aid processing,
15 and transition to postsecondary institution enrollment.

16 ~~{a}~~ (b) "Political subdivision" means a city, township,
17 county, school corporation, merged area, area education agency,
18 institution governed by the state board of regents, or any
19 other governmental subdivision.

20 ~~{b}~~ (c) "Work-based learning coordinator" means an
21 appropriately trained individual responsible for facilitating
22 authentic, engaging work-based learning experiences for
23 learners and educators in partnership with employers and others
24 to enhance learning by connecting the content and skills that
25 are necessary for future careers.

26 DIVISION VII

27 DELINQUENT ACT — POSSESSION OF DANGEROUS WEAPONS OR FIREARMS
28 BY MINORS

29 Sec. 42. Section 232.2, subsection 12, Code 2022, is amended
30 by adding the following new paragraph:

31 NEW PARAGRAPH. e. The violation of section 724.4E which is
32 committed by a child.

33 Sec. 43. EFFECTIVE DATE. This division of this Act, being
34 deemed of immediate importance, takes effect upon enactment.

35 DIVISION VIII

1 ASSAULT — NATIONAL GUARD MEMBERS

2 Sec. 44. Section 708.3A, subsections 1, 2, 3, and 4, Code
3 2022, are amended to read as follows:

4 1. A person who commits an assault, as defined in section
5 708.1, against a peace officer, jailer, correctional staff,
6 member or employee of the board of parole, health care
7 provider, employee of the department of human services,
8 employee of the department of revenue, national guard member
9 engaged in national guard duty or state active duty, civilian
10 employee of a law enforcement agency, civilian employee of a
11 fire department, or fire fighter, whether paid or volunteer,
12 with the knowledge that the person against whom the assault
13 is committed is a peace officer, jailer, correctional staff,
14 member or employee of the board of parole, health care
15 provider, employee of the department of human services,
16 employee of the department of revenue, national guard member
17 engaged in national guard duty or state active duty, civilian
18 employee of a law enforcement agency, civilian employee of a
19 fire department, or fire fighter and with the intent to inflict
20 a serious injury upon the peace officer, jailer, correctional
21 staff, member or employee of the board of parole, health
22 care provider, employee of the department of human services,
23 employee of the department of revenue, national guard member
24 engaged in national guard duty or state active duty, civilian
25 employee of a law enforcement agency, civilian employee of a
26 fire department, or fire fighter, is guilty of a class "D"
27 felony.

28 2. A person who commits an assault, as defined in section
29 708.1, against a peace officer, jailer, correctional staff,
30 member or employee of the board of parole, health care
31 provider, employee of the department of human services,
32 employee of the department of revenue, national guard member
33 engaged in national guard duty or state active duty, civilian
34 employee of a law enforcement agency, civilian employee of a
35 fire department, or fire fighter, whether paid or volunteer,

1 who knows that the person against whom the assault is committed
2 is a peace officer, jailer, correctional staff, member or
3 employee of the board of parole, health care provider, employee
4 of the department of human services, employee of the department
5 of revenue, national guard member engaged in national guard
6 duty or state active duty, civilian employee of a law
7 enforcement agency, civilian employee of a fire department, or
8 fire fighter and who uses or displays a dangerous weapon in
9 connection with the assault, is guilty of a class "D" felony.

10 3. A person who commits an assault, as defined in section
11 708.1, against a peace officer, jailer, correctional staff,
12 member or employee of the board of parole, health care
13 provider, employee of the department of human services,
14 employee of the department of revenue, national guard member
15 engaged in national guard duty or state active duty, civilian
16 employee of a law enforcement agency, civilian employee of a
17 fire department, or fire fighter, whether paid or volunteer,
18 who knows that the person against whom the assault is committed
19 is a peace officer, jailer, correctional staff, member or
20 employee of the board of parole, health care provider, employee
21 of the department of human services, employee of the department
22 of revenue, national guard member engaged in national guard
23 duty or state active duty, civilian employee of a law
24 enforcement agency, civilian employee of a fire department, or
25 fire fighter, and who causes bodily injury or mental illness,
26 is guilty of an aggravated misdemeanor.

27 4. Any other assault, as defined in section 708.1, committed
28 against a peace officer, jailer, correctional staff, member or
29 employee of the board of parole, health care provider, employee
30 of the department of human services, employee of the department
31 of revenue, national guard member engaged in national guard
32 duty or state active duty, civilian employee of a law
33 enforcement agency, civilian employee of a fire department,
34 or fire fighter, whether paid or volunteer, by a person who
35 knows that the person against whom the assault is committed is

1 a peace officer, jailer, correctional staff, member or employee
2 of the board of parole, health care provider, employee of the
3 department of human services, employee of the department of
4 revenue, national guard member engaged in national guard duty
5 or state active duty, civilian employee of a law enforcement
6 agency, civilian employee of a fire department, or fire
7 fighter, is a serious misdemeanor.

8 Sec. 45. Section 708.3A, subsection 5, Code 2022, is amended
9 by adding the following new paragraphs:

10 NEW PARAGRAPH. *f. "National guard" means the same as*
11 *defined in section 29A.1.*

12 NEW PARAGRAPH. *g. "National guard duty" means the same as*
13 *defined in section 29A.1.*

14 NEW PARAGRAPH. *h. "State active duty" means the same as*
15 *defined in section 29A.1.*

16 DIVISION IX

17 DEPENDENT ADULT ABUSE RESULTING IN DEATH

18 Sec. 46. Section 726.26, if enacted by 2022 Iowa Acts,
19 Senate File 522, section 6, is amended by adding the following
20 new subsection:

21 NEW SUBSECTION. 2A. A caretaker who intentionally or
22 recklessly commits dependent adult abuse is guilty of murder
23 in the second degree in violation of section 707.3 if the
24 intentional or reckless dependent adult abuse results in the
25 death of the dependent adult.

26 DIVISION X

27 HEALTH CARE PROVIDER REFERRAL TO AMBULATORY SURGICAL CENTER

28 Sec. 47. NEW SECTION. 147.163 **Provision of information —**
29 **referral to ambulatory surgical center — licensee discipline.**

30 1. A health care provider who determines that a patient is a
31 candidate for outpatient surgery based on the patient's medical
32 status and surgical service needs, and refers the patient to
33 an ambulatory surgical center as an option for the surgery,
34 shall provide the patient with a written document listing the
35 factors the patient should consider to make a fully informed

1 decision about the patient's recommended course of care. The
2 considerations shall include all of the following:

3 a. The differences in ownership; licensure, certification,
4 or accreditation; and payment alternatives between the
5 ambulatory surgical center and a hospital.

6 b. The types of medical personnel generally involved in the
7 patient's surgical service and the capacity of the ambulatory
8 surgical center and a hospital to comply with the personnel
9 requirements.

10 c. The capacity of the ambulatory surgical center and a
11 hospital to respond to medical complications and emergencies
12 that may arise from the surgical service.

13 d. The proximity of the ambulatory surgical center to a
14 hospital and the protocols in place for transfer of a patient
15 from the ambulatory surgical center to the hospital for
16 emergency care.

17 e. The type of anesthesia generally used for the patient's
18 surgical service and the capacity of the ambulatory surgical
19 center and a hospital to comply with requirements relative to
20 the use of anesthesia.

21 2. For the purposes of this section:

22 a. *"Ambulatory surgical center"* means a distinct facility
23 that operates exclusively for the purpose of providing surgical
24 services to patients not requiring hospitalization and in which
25 the expected duration of services does not exceed twenty-four
26 hours following an admission. *"Ambulatory surgical center"*
27 includes a facility that otherwise meets the definition of
28 ambulatory surgical center whether or not licensed, certified,
29 or accredited as an ambulatory surgical center and which may
30 or may not operate on a partially cash-only or completely
31 cash-only basis. *"Ambulatory surgical center"* does not include
32 individual or group practice offices of private physicians
33 or podiatrists that do not contain a distinct area used for
34 outpatient surgical treatment on a regular basis, or that
35 only provide surgery routinely provided in a physician's

1 or podiatrist's office using local anesthesia or conscious
2 sedation; individual or group practice offices of private
3 dentists; or a portion of a licensed hospital designated for
4 outpatient surgical treatment.

5 *b. "Health care provider"* means a person who is licensed,
6 certified, or otherwise authorized or permitted by the laws of
7 this state to administer health care in the ordinary course of
8 business or in the practice of a profession.

9 *c. "Hospital"* means the same as defined in section 135B.1.

10 3. A health care provider who violates this section is
11 subject to licensee discipline by the appropriate licensing or
12 disciplinary authority.

13 DIVISION XI

14 HEALTH CARE EMPLOYMENT AGENCIES

15 Sec. 48. RETROACTIVE APPLICABILITY. 2022 Iowa Acts, House
16 File 2521, applies retroactively to any contract between a
17 health care employment agency and an agency worker or health
18 care entity referred to under section 135Q.2, subsection 3, as
19 enacted by 2022 Iowa Acts, House File 2521, that was entered
20 into or executed on or after January 1, 2019.

21 DIVISION XII

22 PHYSICAL EXAMINATIONS BY LICENSED PHYSICIANS

23 Sec. 49. Section 237A.12, Code 2022, is amended by adding
24 the following new subsection:

25 NEW SUBSECTION. 6. Rules adopted relating to physical
26 examination requirements for licensed or registered facility
27 personnel and the children being provided child care by the
28 licensed or registered facility shall allow for any licensed
29 physician as defined in section 135.1 to perform the physical
30 examination.

31 DIVISION XIII

32 BEVERAGE CONTAINERS CONTROL

33 Sec. 50. Section 455C.2, subsection 2, paragraph b, if
34 enacted by 2022 Iowa Acts, Senate File 2378, section 4, is
35 amended to read as follows:

1 b. A distributor who pays a handling fee for ~~beverage~~
2 ~~containers~~ a beverage container that was sold for consumption
3 off the premises and that used to contain beer, including
4 high-alcoholic content beer, may claim a refund of the barrel
5 tax established in section 123.136 paid by the distributor
6 in the amount of one cent for each such beverage container
7 accepted by the distributor. The department of revenue shall
8 prescribe forms for a distributor to use to claim a refund
9 under this paragraph. Identifying information collected by the
10 department of revenue pursuant to this paragraph that can be
11 used to identify a specific distributor shall be considered
12 confidential information pursuant to section 22.7, subsection
13 75.

14 Sec. 51. EFFECTIVE DATE. This division of this Act takes
15 effect January 1, 2023.

16 DIVISION XIV

17 FUNERAL SERVICES — CORRECTION

18 Sec. 52. Section 523A.505, subsection 1, as enacted by 2022
19 Iowa Acts, House File 2155, section 4, is amended to read as
20 follows:

21 1. A sales agent, and any person who owns at least five
22 percent of a preneed seller business, shall have an ongoing
23 duty to disclose to the commissioner all felony crimes and
24 those misdemeanor-level crimes involving dishonesty or false
25 statement for which the sales agent or person has been found
26 guilty, or for which the sales agent or person has pled
27 guilty or no contest. Such disclosure shall be made to the
28 commissioner within thirty calendar days of the date that
29 the sales agent or person has been found guilty by a court
30 of competent jurisdiction, or of the date the sales agent or
31 person pleads ~~not~~ guilty or no contest.

32 DIVISION XV

33 COUNTY JURISDICTION — CEMETERIES

34 Sec. 53. Section 331.325, subsection 3, Code 2022, is
35 amended by adding the following new paragraph:

1 NEW PARAGRAPH. *d.* A cemetery that does not otherwise
2 qualify to be under the jurisdiction and control of a county
3 board of supervisors or county cemetery commission may
4 designate a portion of the cemetery as a pioneer section if at
5 least fifty percent of the burials in that portion occurred
6 at least one hundred years prior to the designation. Upon
7 approval by the cemetery, the county board of supervisors, and
8 the county cemetery commission, the county cemetery commission
9 may use its resources to restore and maintain the pioneer
10 section of the cemetery as though that section was a pioneer
11 cemetery. However, a cemetery with a designated pioneer
12 section and the pioneer section itself shall not be considered
13 a pioneer cemetery.

14 Sec. 54. NEW SECTION. 523I.403 Pioneer section —
15 management by county cemetery commission.

16 A cemetery may designate a portion of the cemetery as a
17 pioneer section to be restored and maintained by the county
18 cemetery commission as provided in section 331.325, subsection
19 3, paragraph “d”.

20 DIVISION XVI

21 HOME-BASED BUSINESSES

22 Sec. 55. Section 137D.1, subsection 4, unnumbered paragraph
23 1, Code 2022, as amended by 2022 Iowa Acts, House File 2431,
24 section 2, if enacted, is amended to read as follows:

25 “*Homemade food item*” means a food that is produced and, if
26 packaged, packaged at a home food processing establishment.
27 “*Homemade food item*” includes food that is not time/temperature
28 control for safety food, but does not include such food if
29 produced and sold under section 137F.20. “*Homemade food item*”
30 does not include unpasteurized fruit or vegetable juice, raw
31 sprout seeds, foods containing game animals, fish or shellfish,
32 alcoholic beverages, bottled water, packaged ice, consumable
33 hemp products, food that will be further processed by a food
34 processing plant, time/temperature control for safety food
35 packaged using a reduced oxygen packaging method, milk or milk

1 products regulated under chapter 192 or 194, and meat, meat
2 food products, poultry, or poultry products regulated under
3 chapter 189A, except for any of the following products when
4 sold directly to the end consumer:

5 Sec. 56. Section 137F.1, subsection 2A, paragraph a, if
6 enacted by 2022 Iowa Acts, House File 2431, section 8, is
7 amended to read as follows:

8 a. Milk or milk products regulated under chapter 192 or
9 194.>

10 2. Title page, by striking lines 1 through 5 and
11 inserting <An Act relating to state and local finances by
12 making appropriations, providing for legal and regulatory
13 responsibilities, providing for other properly related matters,
14 providing penalties, making penalties applicable, and including
15 effective date, applicability, and retroactive applicability
16 provisions.>

By MOHR of Scott

H-8394 FILED MAY 24, 2022

HOUSE FILE 2589

H-8395

1 Amend the amendment, H-8394, to House File 2589, as follows:

2 1. Page 10, after line 24 by inserting:

3 <DIVISION ____

4 DIRECT MASS MAILING

5 Sec. _____. Section 68A.405A, Code 2022, is amended by adding
6 the following new subsections:

7 NEW SUBSECTION. 3. For the purposes of this section,
8 "*direct mass mailing*" means a mailing, regardless of whether
9 the mailing was sent in response to a request or due to the
10 recipient's enrollment in a program, that provides information
11 to the recipient about a person, policy, product, service,
12 program, initiative, law, legislation, event, or activity
13 promoted by the statewide elected official that is all of the
14 following:

15 a. Printed material delivered by the United States mail or
16 other delivery service.

17 b. Sent to more than two hundred physical addresses.

18 c. Substantially similar or identical as regards each
19 mailing.

20 d. Sent at the same time or within a thirty-day period.

21 NEW SUBSECTION. 4. Notwithstanding subsection 3, a
22 mailing that is sent to any participant in a program or the
23 participant's address within sixty days of an election in which
24 an office listed in section 39.9 is to appear on the ballot
25 shall be considered a direct mass mailing for the purposes
26 of subsection 1 if the purpose of the mailing is to provide
27 a participant with information relevant to the participant's
28 existing account with a program sponsored and administered by
29 the statewide elected official who sent the mailing.>

30 2. By renumbering as necessary.

By KAUFMANN of Cedar

H-8395 FILED MAY 24, 2022

HOUSE FILE 2589

H-8396

1 Amend House File 2589 as follows:

2 1. Page 7, after line 3 by inserting:

3 <DIVISION ____

4 CARBON CAPTURE PIPELINE PROJECTS

5 Sec. _____. Section 479B.2, subsection 2, Code 2022, is
6 amended to read as follows:

7 2. "*Hazardous liquid*" means crude oil, refined petroleum
8 products, liquefied petroleum gases, anhydrous ammonia, liquid
9 fertilizers, ~~liquefied carbon dioxide~~, alcohols, and coal
10 slurries.

11 Sec. _____. NEW SECTION. 479B.34 Carbon capture pipeline
12 projects — restrictions.

13 Notwithstanding any other provisions of chapter 479B, a
14 pipeline company constructing a carbon capture pipeline project
15 shall not be granted rights of eminent domain pursuant to this
16 chapter.>

17 2. By renumbering, redesignating, and correcting internal
18 references as necessary.

By SHIPLEY of Van Buren

H-8396 FILED MAY 24, 2022

H-8397

1 Amend House File 2589 as follows:

2 1. Page 7, after line 3 by inserting:

3 <DIVISION ____

4 SECOND AMENDMENT PRESERVATION ACT

5 Sec. _____. NEW SECTION. 724A.1 Short title.

6 This chapter may be cited and referred to as the "*Second*
7 *Amendment Preservation Act*".

8 Sec. _____. NEW SECTION. 724A.2 Definition.

9 As used in this chapter, "*law-abiding citizen*" means a person
10 who is not otherwise precluded under state law from possessing
11 a firearm and shall not be construed to include anyone who is
12 not legally present in the United States or the state of Iowa.

13 Sec. _____. NEW SECTION. 724A.3 Legislative findings.

14 The general assembly finds and declares the following:

15 1. The general assembly is firmly resolved to support and
16 defend the Constitution of the United States against every
17 aggression, whether foreign or domestic, and is duty-bound to
18 oppose every infraction of those principles that constitute the
19 basis of the United States because only a faithful observance
20 of those principles can secure the nation's existence and the
21 public happiness.

22 2. Acting through the Constitution of the United States, the
23 people of the several states created the federal government to
24 be their agent in the exercise of a few defined powers, while
25 reserving for the state governments the power to legislate on
26 matters concerning the lives, liberties, and properties of
27 citizens in the ordinary course of affairs.

28 3. The limitation of the federal government's power is
29 affirmed under the tenth amendment to the Constitution of the
30 United States, which defines the total scope of federal power
31 as being that which has been delegated by the people of the
32 several states to the federal government, and all power not
33 delegated to the federal government in the Constitution of the
34 United States is reserved to the states respectively or to the
35 people themselves.

1 4. If the federal government assumes powers that the people
2 did not grant it in the Constitution of the United States, its
3 acts are unauthoritative, void, and of no force.

4 5. The several states of the United States respect
5 the proper role of the federal government but reject the
6 proposition that such respect requires unlimited submission.
7 If the government, created by a compact among the states,
8 was the exclusive or final judge of the extent of the powers
9 granted to it by the states through the Constitution of the
10 United States, the federal government's discretion, and not
11 the Constitution of the United States, would necessarily
12 become the measure of those powers. To the contrary, as in
13 all other cases of compacts among powers having no common
14 judge, each party has an equal right to judge for itself as to
15 whether infractions of the compact have occurred, as well as
16 to determine the mode and measure of redress. Although the
17 several states have granted supremacy to laws and treaties made
18 under the powers granted in the Constitution of the United
19 States, such supremacy does not extend to various federal
20 statutes, executive orders, administrative orders, court
21 orders, rules, regulations, or other actions that collect data
22 or restrict or prohibit the manufacture, ownership, and use
23 of firearms, firearm accessories, or ammunition exclusively
24 within the borders of Iowa. Such statutes, executive orders,
25 administrative orders, court orders, rules, regulations,
26 and other actions exceed the powers granted to the federal
27 government except to the extent they are necessary and proper
28 for governing and regulating the United States armed forces
29 or for organizing, arming, and disciplining militia forces
30 actively employed in the service of the United States armed
31 forces.

32 6. The people of the several states have given the United
33 States Congress the power "to regulate commerce with foreign
34 nations, and among the several states", but "regulating
35 commerce" does not include the power to limit citizens' right

1 to keep and bear arms in defense of their families, neighbors,
2 persons, or property, or to dictate what sort of arms and
3 accessories law-abiding Iowans may buy, sell, exchange, or
4 otherwise possess within the borders of this state.

5 7. The people of the several states have also granted the
6 United States Congress the power "to lay and collect taxes,
7 duties, imposts and excises, to pay the debts and provide for
8 the common defense and general welfare of the United States"
9 and "to make all laws which shall be necessary and proper for
10 carrying into execution" the powers vested by the Constitution
11 of the United States "in the government of the United States,
12 or in any department or officer thereof". These constitutional
13 provisions merely identify the means by which the federal
14 government may execute its limited powers and shall not be
15 construed to grant unlimited power because to do so would be
16 to destroy the carefully constructed equilibrium between the
17 federal and state governments. Consequently, the general
18 assembly rejects any claim that the taxing and spending powers
19 of the United States Congress may be used to diminish in any
20 way the right of the people to keep and bear arms.

21 8. The general assembly finds that the federal excise tax
22 rate on arms and ammunition in effect prior to January 1,
23 2022, which funds programs under the Act of Congress described
24 in section 456A.27, does not have a chilling effect on the
25 purchase or ownership of such arms and ammunition.

26 9. The people of Iowa have vested the general assembly
27 with the authority to regulate the manufacture, possession,
28 exchange, and use of firearms firearm accessories, or
29 ammunition within the borders of this state, subject only to
30 the limits imposed by the second amendment to the Constitution
31 of the United States and the Constitution of the State of Iowa.

32 10. The general assembly of the state of Iowa strongly
33 promotes responsible firearm ownership, including parental
34 supervision of minors in the proper use, storage, and ownership
35 of all firearms; the prompt reporting of stolen firearms; and

1 the proper enforcement of all state firearm laws. The general
2 assembly of the state of Iowa hereby condemns any unlawful
3 transfer of firearms and the use of any firearm in any criminal
4 or unlawful activity.

5 Sec. _____. NEW SECTION. **724A.4 Federal infringements on the**
6 **right to keep and bear arms.**

7 Federal infringements on the people's right to keep and bear
8 arms, as guaranteed by the second amendment to the Constitution
9 of the United States, within the borders of this state include
10 but shall not be limited to the following federal acts, laws,
11 executive orders, administrative orders, court orders, rules,
12 and regulations:

13 1. Any tax, levy, fee, or stamp imposed on firearms, firearm
14 accessories, or ammunition not common to all other goods and
15 services and that might reasonably be expected to create a
16 chilling effect on the purchase or ownership of firearms,
17 firearm accessories, or ammunition by law-abiding citizens.

18 2. Any registering or tracking of firearms, firearm
19 accessories, or ammunition that might reasonably be expected
20 to create a chilling effect on the purchase or ownership of
21 firearms, firearm accessories, or ammunition by law-abiding
22 citizens.

23 3. Any registering or tracking of the owners of firearms,
24 firearm accessories, or ammunition that might reasonably
25 be expected to create a chilling effect on the purchase or
26 ownership of firearms, firearm accessories, or ammunition by
27 law-abiding citizens.

28 4. Any act forbidding the possession, ownership, use, or
29 transfer of firearms, firearm accessories, or ammunition by
30 law-abiding citizens.

31 5. Any act ordering the confiscation of firearms, firearm
32 accessories, or ammunition from law-abiding citizens.

33 Sec. _____. NEW SECTION. **724A.5 Federal infringement void.**

34 All federal acts, laws, executive orders, administrative
35 orders, court orders, rules, and regulations, regardless if

1 enacted before or after the provisions this chapter, that
2 infringe on the people's right to keep and bear arms as
3 guaranteed by the second amendment to the Constitution of the
4 United States shall be invalid in this state, shall not be
5 recognized by this state, shall be specifically rejected by
6 this state, and shall have no effect in this state.

7 Sec. _____. NEW SECTION. **724A.6 Protection of right to keep**
8 **and bear arms.**

9 It shall be the duty of the courts and law enforcement
10 agencies of this state to protect the rights of law-abiding
11 citizens to keep and bear arms within the borders of this state
12 and to protect these rights from the infringements described
13 in section 724A.4.

14 Sec. _____. NEW SECTION. **724A.7 Enforcement of infringement**
15 **of right to keep and bear arms prohibited.**

16 No person, including any public officer or employee of this
17 state or any political subdivision of this state, shall have
18 the authority to enforce or attempt to enforce any federal
19 acts, laws, executive orders, administrative orders, court
20 orders, rules, regulations, statutes, or ordinances infringing
21 on the right to keep and bear arms as described in section
22 724A.4. Nothing in this chapter shall be construed to prohibit
23 Iowa officials from accepting aid from federal officials in an
24 effort to enforce Iowa laws.

25 Sec. _____. NEW SECTION. **724A.8 Liability for violation —**
26 **actions for violations — attorney fees.**

27 1. *a.* Any political subdivision or law enforcement agency
28 that employs a law enforcement officer who acts knowingly to
29 violate the provisions of this chapter while acting under color
30 of any state or federal law shall be liable to the injured
31 party in an action at law, suit in equity, or other proper
32 proceeding for redress, and subject to a civil penalty of fifty
33 thousand dollars per violation.

34 *b.* Any person injured under this subsection shall have
35 standing to pursue an action for injunctive relief in the

1 district court of the county in which the action allegedly
2 occurred or in the district court of Polk county. The court
3 shall hold a hearing on the motion for a temporary restraining
4 order or a preliminary injunction within thirty days of service
5 of the petition.

6 2. Any political subdivision or law enforcement agency that
7 knowingly employs an individual acting or who previously acted
8 as an official, agent, employee, or deputy of the government
9 of the United States, or otherwise acted under the color of
10 federal law within the borders of this state, who has knowingly
11 enforced or attempted to enforce any of the infringements
12 identified in section 724A.4, or has knowingly given material
13 aid and support to the efforts of another who enforces or
14 attempts to enforce any of the infringements identified in
15 section 724A.4, shall be subject to a civil penalty of fifty
16 thousand dollars per such employee hired by the political
17 subdivision or law enforcement agency. Any person residing
18 or conducting business in a jurisdiction who believes that an
19 individual has taken action in that jurisdiction that would
20 violate the provisions of this subsection shall have standing
21 to pursue an action for injunctive relief in the district court
22 of the county in which the action allegedly occurred or in
23 the district court of Polk county. The court shall hold a
24 hearing on the motion for a temporary restraining order or a
25 preliminary injunction within thirty days of service of the
26 petition.

27 3. In actions under this section, the court may award
28 the prevailing party, other than the state or any political
29 subdivision of the state, reasonable attorney fees and costs.

30 4. Sovereign immunity shall not be an affirmative defense in
31 any action pursued under this section.

32 Sec. _____. NEW SECTION. 724A.9 When action is not a
33 violation.

34 1. A person does not violate the provisions of this chapter
35 when the person provides material aid to federal officers

H-8397 (Continued)

1 who are in pursuit of a suspect when there is a demonstrable
2 criminal nexus with another state or country and such suspect
3 is either not a citizen of this state or is not present in this
4 state.

5 2. A person does not violate the provisions of this chapter
6 when the person provides material aid to federal prosecutors
7 for felony violations involving controlled substances or
8 violations against another person when such prosecution
9 includes weapons violations substantially similar to the laws
10 of this state so long as such weapons violations are merely
11 ancillary to such prosecution.

12 Sec. _____. EFFECTIVE DATE. This division of this Act, being
13 deemed of immediate importance, takes effect upon enactment.>

14 2. By renumbering as necessary.

By SHIPLEY of Van Buren

[H-8397](#) FILED MAY 24, 2022

HOUSE FILE 2589

H-8398

1 Amend House File 2589 as follows:

2 1. Page 7, after line 3 by inserting:

3 <DIVISION ____

4 CIVIL RIGHTS — DEFINITIONS

5 Sec. _____. Section 216.2, subsection 10, Code 2022, is
6 amended by striking the subsection.

7 Sec. _____. Section 216.2, Code 2022, is amended by adding the
8 following new subsections:

9 NEW SUBSECTION. 13A. "*Sex*" means man or woman and is the
10 biological sex observed at birth characterized by reproductive
11 anatomy and chromosomes.

12 NEW SUBSECTION. 16. "*Woman*" means an adult human female,
13 a biological sex observed at birth characterized by female
14 reproductive anatomy and XX chromosomes.>

15 2. By renumbering as necessary.

By SHIPLEY of Van Buren

H-8398 FILED MAY 24, 2022

HOUSE FILE 2589

H-8399

1 Amend the amendment, H-8386, to House File 2589, as follows:

2 1. By striking page 1, line 1, through page 6, line 27, and
3 inserting:

4 <Amend House File 2589 as follows:

5 1. By striking everything after the enacting clause and
6 inserting:

7 <DIVISION I

8 STANDING APPROPRIATIONS AND RELATED MATTERS

9 Section 1. LIMITATIONS OF STANDING APPROPRIATIONS — FY
10 2022-2023. Notwithstanding the standing appropriation in the
11 following designated section for the fiscal year beginning July
12 1, 2022, and ending June 30, 2023, the amount appropriated from
13 the general fund of the state pursuant to that section for the
14 following designated purpose shall not exceed the following
15 amount:

16 For payment of claims for nonpublic school pupil
17 transportation under section 285.2:

18 \$ 8,997,091

19 If total approved claims for reimbursement for nonpublic
20 school pupil transportation exceed the amount appropriated in
21 accordance with this section, the department of education shall
22 prorate the amount of each approved claim.

23 Sec. 2. INSTRUCTIONAL SUPPORT STATE AID — FY 2022-2023. In
24 lieu of the appropriation provided in section 257.20,
25 subsection 2, the appropriation for the fiscal year
26 beginning July 1, 2022, and ending June 30, 2023, for paying
27 instructional support state aid under section 257.20 for the
28 fiscal year is zero.

29 Sec. 3. SPECIAL FUNDS — SALARY ADJUSTMENTS —
30 UNAPPROPRIATED MONEYS — FY 2022-2023. For the fiscal year
31 beginning July 1, 2022, and ending June 30, 2023, salary
32 adjustments otherwise provided may be funded as determined
33 by the department of management, subject to any applicable
34 constitutional limitation, using unappropriated moneys
35 remaining in the department of commerce revolving fund, the

1 gaming enforcement revolving fund, the gaming regulatory
2 revolving fund, the primary road fund, the road use tax
3 fund, the fish and game protection fund, and the Iowa public
4 employees' retirement fund, and in other departmental
5 revolving, trust, or special funds for which the general
6 assembly has not made an operating budget appropriation.

7 DIVISION II

8 CORRECTIVE PROVISIONS

9 Sec. 4. Section 45.1, subsection 7, paragraph a, Code 2022,
10 as amended by 2022 Iowa Acts, House File 2466, section 3, is
11 amended to read as follows:

12 a. For a supervisor district with a population of greater
13 than fifteen thousand but ~~fewer~~ no more than fifty thousand
14 according to the most recent federal decennial census,
15 nomination petitions shall include at least fifty signatures.

16 Sec. 5. Section 80E.2, subsection 2, Code 2022, as amended
17 by 2022 Iowa Acts, House File 2367, section 2, is amended to
18 read as follows:

19 2. The prosecuting attorney, certified alcohol and drug
20 counselor, certified substance abuse prevention specialist,
21 substance use disorder treatment program director, member
22 representing the Iowa peace officers association, member
23 representing the Iowa state police association, the
24 member representing the Iowa state sheriffs' and deputies'
25 association, and the member ~~representing the Iowa police chiefs~~
26 ~~association~~ who is a police chief shall be appointed by the
27 governor, subject to senate confirmation, for four-year terms
28 beginning and ending as provided in section 69.19. A vacancy
29 on the council shall be filled for the unexpired term in the
30 same manner as the original appointment was made.

31 Sec. 6. Section 124.204, subsection 2, paragraph c1, as
32 enacted by 2022 Iowa Acts, House File 2201, section 1, is
33 amended to read as follows:

34 c1. N-(1-phenethylpiperidin-4-yl)
35 -N-phenylcyclopentanecarboxamide. Other name: ~~cyclopentanyl~~

1 cyclopentyl fentanyl.

2 Sec. 7. Section 147.77, subsection 1, paragraph 1, as
3 enacted by 2022 Iowa Acts, House File 803, section 51, is
4 amended to read as follows:

5 1. The department of public safety, with respect to rules
6 relating to permits to carry weapons, that a person who is
7 an unlawful user of or addicted to any controlled substance
8 includes any person who is a current user of a controlled
9 substance in a manner other than as prescribed by a licensed
10 physician.

11 Sec. 8. Section 147.77, subsection 1, paragraph p,
12 subparagraph (3), as enacted by 2022 Iowa Acts, House File 803,
13 section 51, is amended to read as follows:

14 (3) For applications for a license to practice asbestos
15 removal, that except as noted in rule, only worker and
16 contractor/supervisor license applicants must submit a the
17 respiratory protection and physician's certification forms.

18 Sec. 9. Section 249A.42A, subsection 2, as enacted by 2022
19 Iowa Acts, House File 736, section 1, is amended to read as
20 follows:

21 2. The provider documented the eligibility verification
22 performed and any necessary prior authorization obtained
23 pursuant to ~~paragraph "a"~~ subsection 1 in a manner and format
24 established by the department by rule, and retained the
25 required documentation in the recipient's file.

26 Sec. 10. Section 261.116, subsection 7, Code 2022, as
27 amended by 2022 Iowa Acts, Senate File 2383, section 16, if
28 enacted, is amended to read as follows:

29 6. *Health care award fund.* A health care award fund is
30 created for deposit of moneys appropriated to or received by
31 the commission for use under the program. Notwithstanding
32 section 8.33, moneys deposited in the health care award
33 fund shall not revert to any fund of the state at the
34 end of any fiscal year but shall remain in the award fund
35 and be continuously available for use under the program.

1 Notwithstanding section 12C.7, subsection 2, interest or
2 earnings on moneys deposited in the health care award fund
3 shall be credited to the fund.

4 Sec. 11. Section 441.1, subsection 3, paragraph d, as
5 enacted by 2022 Iowa Acts, Senate File 384, section 1, is
6 amended to read as follows:

7 d. The provisions of chapter 28E are applicable to this
8 ~~section~~ subsection.

9 Sec. 12. Section 600.5, subsection 9A, if enacted by 2022
10 Iowa Acts, House File 2252, section 6, is amended to read as
11 follows:

12 9A. If the parents of the person to be adopted had their
13 parental rights terminated pursuant to chapter 232, the
14 petition shall ~~included~~ include the names of any known siblings
15 placed separately from the person to be adopted and either the
16 plan for ongoing contact between the siblings if a court found
17 that continued contact is in the best interest of each sibling
18 or a statement that the court found continued contact between
19 the siblings is not in the best interest of each sibling.

20 Sec. 13. 2022 Iowa Acts, House File 2200, section 3, is
21 amended to read as follows:

22 SEC. 3. APPLICABILITY. This Act applies to direct health
23 care agreements that are fully executed on or after the
24 effective date of enactment ~~this Act~~.

25 Sec. 14. 2022 Iowa Acts, House File 2201, section 7, is
26 amended by striking the section and inserting in lieu thereof
27 the following:

28 SEC. 7. Section 124.206, subsection 2, paragraph a,
29 unnumbered paragraph 1, Code 2022, is amended by striking
30 the unnumbered paragraph and inserting in lieu thereof the
31 following:

32 Opium and opiate, and any salt, compound, derivative,
33 or preparation of opium or opiate excluding apomorphine,
34 thebaine-derived butorphanol, dextrorphan, nalbuphine,
35 naldemedine, nalmeferene, naloxegol, naloxone, 6beta-naltrexol,

1 naltrexone, and samidorphan, and their respective salts, but
2 including the following:

3 Sec. 15. 2022 Iowa Acts, Senate File 2295, section 184, is
4 amended by striking the section and inserting in lieu thereof
5 the following:

6 SEC. 184. 2020 Iowa Acts, chapter 1064, sections 17 and
7 18, are amended by striking the sections and inserting in lieu
8 thereof the following:

9 SEC. 17. Section 422.12D, subsection 2, Code 2022, is
10 amended to read as follows:

11 2. The director of revenue shall draft the income tax form
12 to allow the designation of contributions to the veterans trust
13 fund and to the volunteer fire fighter preparedness fund as
14 one checkoff on the tax return. The department of revenue,
15 on or before January 31, shall transfer one-half of the total
16 amount designated on the tax return forms due in the preceding
17 calendar year to the veterans trust fund and the remaining
18 one-half to the volunteer fire fighter preparedness fund.
19 However, before a checkoff pursuant to this section shall be
20 permitted, all liabilities on the books of the department of
21 ~~administrative services~~ and accounts identified as owing under
22 section ~~8A.504~~ 421.65 shall be satisfied.

23 SEC. 18. Section 422.12L, subsection 2, Code 2022, is
24 amended to read as follows:

25 2. The director of revenue shall draft the income tax form
26 to allow the designation of contributions to the foundation
27 fund on the tax return. The department, on or before January
28 31, shall transfer the total amount designated on the tax
29 form due in the preceding year to the foundation fund.
30 However, before a checkoff pursuant to this section shall be
31 permitted, all liabilities on the books of the department of
32 ~~administrative services~~ and accounts identified as owing under
33 section ~~8A.504~~ 421.65 shall be satisfied.

34 Sec. 16. CONTINGENT REPEAL. 2022 Iowa Acts, House File
35 2581, section 13, if enacted, is repealed.

H-8399 (Continued)

1 Sec. 17. CODE EDITOR DIRECTIVES.

2 1. If Senate File 496 is enacted during the 2022 session
3 of the Eighty-ninth General Assembly, the Code editor is
4 directed to transfer the Code sections as enacted by that Act
5 as follows:

6 a. Section 94.1 to section 94B.1.

7 b. Section 94.2 to section 94B.2.

8 2. The Code editor is directed to renumber section 331.301,
9 subsection 18, as enacted by 2022 Iowa Acts, House File 728, to
10 become section 331.301, subsection 21.

11 3. The Code editor shall correct internal references in the
12 Code and in any enacted legislation as necessary due to the
13 enactment of this section.

14 Sec. 18. EFFECTIVE DATE. The following, being deemed of
15 immediate importance, take effect upon enactment:

16 1. The section of this division of this Act amending section
17 124.204, subsection 2, paragraph "c1".

18 2. The section of this division of this Act amending 2022
19 Iowa Acts, House File 2200, section 3.

20 3. The section of this division of this Act amending 2022
21 Iowa Acts, House File 2201, section 7.

22 Sec. 19. RETROACTIVE APPLICABILITY. The following apply
23 retroactively to May 2, 2022:

24 1. The section of this division of this Act amending section
25 124.204, subsection 2, paragraph "c1".

26 2. The section of this division of this Act amending 2022
27 Iowa Acts, House File 2201, section 7.

28 Sec. 20. RETROACTIVE APPLICABILITY. The section of this
29 division of this Act amending 2022 Iowa Acts, House File 2200,
30 section 3, applies retroactively to May 12, 2022.

31 DIVISION III

32 MOTOR FUEL EXPENSE RELIEF

33 Sec. 21. TEMPORARY MOTOR FUEL EXPENSE RELIEF —
34 APPROPRIATION.

35 1. a. (1) The department of transportation shall issue

1 one fifty-dollar prepaid bank, debit, or gift card to every
2 individual who both holds a valid Iowa driver's license and
3 is the registered owner of a motor vehicle that is registered
4 in Iowa for the current registration year if the mean average
5 price for one gallon of ethanol blended gasoline classified
6 as E-10 sold in Iowa reaches or exceeds three dollars and
7 seventy-five cents during a month, as certified by the
8 department. An individual shall not be issued more than one
9 card under this section, regardless of the number of vehicles
10 the individual has registered.

11 (2) The department shall issue a card to every eligible
12 individual no later than thirty days after the month in which
13 the mean average price for one gallon of ethanol blended
14 gasoline classified as E-10 sold in Iowa reaches or exceeds
15 three dollars and seventy-five cents, as certified by the
16 department, or thirty days after the effective date of this
17 division of this Act if the mean average price for one gallon
18 of ethanol blended gasoline classified as E-10 sold in Iowa
19 reached or exceeded three dollars and seventy-five cents for
20 the month prior to the effective date of this Act.

21 b. Notwithstanding section 8.57G, subsection 2, for
22 the fiscal year beginning July 1, 2021, and ending June 30,
23 2022, there is appropriated from the Iowa coronavirus fiscal
24 recovery fund created in section 8.57G to the department of
25 transportation an amount necessary to issue prepaid bank,
26 debit, or gift cards to every eligible person under this
27 section, or the balance of the Iowa coronavirus fiscal recovery
28 fund, whichever is lower.

29 c. Notwithstanding section 8.33, moneys appropriated in
30 this section that remain unencumbered or unobligated at the
31 close of the fiscal year shall not revert but shall remain
32 available for expenditure for the purposes designated until the
33 close of the fiscal year that begins July 1, 2024.

34 2. A person who is issued a prepaid bank, debit, or gift
35 card under this section shall use the prepaid card only to

1 purchase motor fuel in Iowa.

2 3. This section is repealed on the earliest of the
3 following:

4 a. The day after the department of transportation issues
5 a fifty-dollar prepaid bank, debit, or gift card to the last
6 eligible individual.

7 b. The date all moneys in the Iowa coronavirus fiscal
8 recovery fund have been expended.

9 c. July 1, 2025.

10 Sec. 22. EFFECTIVE DATE. This division of this Act, being
11 deemed of immediate importance, takes effect upon enactment.

12 DIVISION IV

13 SALES TAX EXEMPTIONS

14 Sec. 23. Section 423.3, Code 2022, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 108. The sales price from the sale of human
17 breastfeeding equipment.

18 DIVISION V

19 SALES TAX HOLIDAY

20 Sec. 24. Section 423.3, subsection 68, paragraph a, Code
21 2022, is amended to read as follows:

22 a. (1) The sales price from the sale of ~~an article of~~
23 ~~clothing~~ all of the following:

24 (a) Clothing designed to be worn on or about the human body
25 if all of the following apply:

26 (b) Emergency preparedness supplies.

27 (2) This subsection applies under all of the following
28 circumstances:

29 ~~{1}~~ (a) The sales price of the article is less than one
30 hundred dollars, except for the sales price of tie-down kits,
31 portable generators, transfer switches, and inverters which may
32 equal or exceed one hundred dollars up to a maximum sales price
33 of five thousand dollars.

34 ~~{2}~~ (b) The sale takes place during a period beginning at
35 12:01 a.m. on the first Friday in August and ending at midnight

1 on the following ~~Saturday~~ Sunday.

2 Sec. 25. Section 423.3, subsection 68, paragraph c,
3 subparagraph (1), unnumbered paragraph 1, Code 2022, is amended
4 to read as follows:

5 "*Clothing*" means ~~all~~ an article of human wearing apparel
6 suitable for general use.

7 Sec. 26. Section 423.3, subsection 68, paragraph c, Code
8 2022, is amended by adding the following new subparagraph:

9 NEW SUBPARAGRAPH. (03) "*Emergency preparedness supplies*"
10 means a collection of basic household items purchased by
11 individuals or families for household use in the event of an
12 emergency. "*Emergency preparedness supplies*" includes but is
13 not limited to batteries, artificial ice packs, portable light
14 sources, portable radios, tarps and plastic drop cloths, bungee
15 cords, ropes, paracords, ground anchor systems, tie-down kits,
16 ratchet straps, duct tape, smoke detectors, carbon monoxide
17 detectors, fire extinguishers, gas containers, water storage
18 containers, nonelectric food storage containers, bottled
19 water, manual can openers, hand-held electronic communication
20 device chargers, first aid kits, emergency ladders, transfer
21 switches, inverters, and inverter power cables, and no more
22 than one portable or permanent generator per household per
23 the time period described in paragraph "a", subparagraph (2),
24 subparagraph division (b).

25 DIVISION VI

26 GROCERY TAX CREDIT

27 Sec. 27. NEW SECTION. 422.120 Grocery tax credit.

28 1. The taxes imposed under this subchapter less the credits
29 allowed under section 422.12 shall be reduced by a grocery tax
30 credit equal to five hundred dollars in order to alleviate food
31 insecurity in this state.

32 2. A taxpayer is entitled to the credit if the taxpayer has
33 an income level at or below two hundred percent of the United
34 States poverty level as defined by the most recently revised
35 poverty income guidelines published by the United States

1 department of health and human services.

2 3. Any credit in excess of tax liability is refundable.

3 4. Married taxpayers electing to file separate returns may
4 avail themselves of the grocery tax credit by allocating the
5 grocery tax credit to each spouse in the proportion that each
6 spouse's respective earned income bears to the total combined
7 earned income. Taxpayers affected by the allocation provisions
8 of section 422.8 shall be permitted a deduction for the credit
9 only in the amount fairly and equitably allocable to Iowa under
10 rules prescribed by the director.

11 Sec. 28. RETROACTIVE APPLICABILITY. This division of this
12 Act applies retroactively to January 1, 2022, for tax years
13 beginning on or after that date.

14 DIVISION VII

15 CAMPAIGN FINANCE

16 Sec. 29. Section 68A.102, subsection 10, paragraph a,
17 subparagraph (2), Code 2022, is amended to read as follows:

18 (2) The payment, by any person other than a candidate or
19 political committee who receives the service, of compensation
20 for the personal services of another person which are rendered
21 to a candidate or political committee for any such purpose.

22 Sec. 30. Section 68A.102, subsection 10, paragraph a, Code
23 2022, is amended by adding the following new subparagraph:

24 NEW SUBPARAGRAPH. (3) A coordinated expenditure if the
25 expenditure must be reported pursuant to subchapter IV.

26 Sec. 31. Section 68A.102, subsections 14 and 18, Code 2022,
27 are amended to read as follows:

28 14. a. "*Express advocacy*" or to "*expressly advocate*" means
29 communication that can be characterized according to at least
30 one of the following descriptions:

31 ~~a.~~ (1) The communication is political speech made in the
32 form of a contribution.

33 ~~b.~~ (2) In advocating the election or defeat of one or more
34 clearly identified candidates or the passage or defeat of one
35 or more clearly identified ballot issues, the communication

1 includes explicit words that unambiguously indicate that the
2 communication is recommending or supporting a particular
3 outcome in the election with regard to any clearly identified
4 candidate or ballot issue.

5 b. "Express advocacy" or "expressly advocate" does not mean
6 a communication that can be characterized according to one or
7 more of the following descriptions:

8 (1) The communication encourages individuals to register
9 to vote or to vote, provided that the communication does not
10 mention or depict a candidate or ballot issue.

11 (2) The communication does not support or oppose a candidate
12 or ballot issue.

13 (3) The communication is a bona fide news story, commentary,
14 blog, or editorial distributed through the facilities of any
15 broadcasting station, newspaper, magazine, internet site, or
16 other periodical publication of general circulation.

17 (4) The communication is by a membership organization or
18 corporation to its members, stockholders, or employees.

19 (5) The board determines by rule that the communication is
20 not express advocacy.

21 18. "Political committee" means any of the following:

22 a. A committee, but not a candidate's committee, that
23 accepts contributions in excess of ~~one thousand~~ two hundred
24 fifty dollars in the aggregate, makes expenditures in excess
25 of ~~one thousand~~ two hundred fifty dollars in the aggregate, or
26 incurs indebtedness in excess of ~~one thousand~~ two hundred fifty
27 dollars in the aggregate in any one calendar year to expressly
28 advocate the nomination, election, or defeat of a candidate
29 for public office, make an electioneering communication, or to
30 expressly advocate the passage or defeat of a ballot issue.

31 b. An association, lodge, society, cooperative, union,
32 fraternity, sorority, educational institution, civic
33 organization, labor organization, religious organization, or
34 professional organization that accepts contributions in excess
35 of ~~one thousand~~ two hundred fifty dollars in the aggregate,

1 makes expenditures in excess of ~~one thousand~~ two hundred fifty
2 dollars in the aggregate, or incurs indebtedness in excess of
3 ~~one thousand~~ two hundred fifty dollars in the aggregate in
4 any one calendar year to expressly advocate the nomination,
5 election, or defeat of a candidate for public office, make an
6 electioneering communication, or to expressly advocate the
7 passage or defeat of a ballot issue.

8 c. A person, other than an individual, that accepts
9 contributions in excess of ~~one thousand~~ two hundred fifty
10 dollars in the aggregate, makes expenditures in excess of
11 ~~one thousand~~ two hundred fifty dollars in the aggregate, or
12 incurs indebtedness in excess of ~~one thousand~~ two hundred fifty
13 dollars in the aggregate in any one calendar year to expressly
14 advocate that an individual should or should not seek election
15 to a public office prior to the individual becoming a candidate
16 as defined in subsection 4.

17 Sec. 32. Section 68A.102, Code 2022, is amended by adding
18 the following new subsections:

19 NEW SUBSECTION. 8A. "*Communication*" means any of the
20 following:

21 a. A paid advertisement broadcast over radio, television,
22 cable, or satellite.

23 b. The paid placement of content on the internet or other
24 electronic communication network.

25 c. A paid advertisement published in a newspaper or
26 periodical or on a billboard.

27 d. A mailing.

28 e. A printed material.

29 NEW SUBSECTION. 10A. "*Coordinated expenditure*" means
30 an expenditure made in cooperation with, in consultation
31 with, at the request of, or with the express prior consent
32 of a candidate or committee receiving the benefit of the
33 expenditure.

34 NEW SUBSECTION. 13A. a. "*Electioneering communication*"
35 means a paid communication that is publicly distributed by

1 radio, television, cable, satellite, internet site, newspaper,
2 periodical, billboard, mail, electronic mail, or any other
3 distribution of materials, that is made within sixty days of
4 the initiation of voting in an election that does not support
5 or oppose a candidate or ballot issue, that can be received
6 by more than one hundred persons, and that does any of the
7 following:

8 (1) Refers to one or more clearly identified candidates in
9 that election.

10 (2) Depicts the name, image, likeness, or voice of a clearly
11 identified candidate in that election.

12 (3) Refers to a political party, ballot issue, or a question
13 submitted to the voters in that election.

14 *b. "Electioneering communication"* does not include any of
15 the following:

16 (1) A bona fide news story, commentary, blog, or editorial
17 distributed through the facilities of any broadcasting station,
18 newspaper, magazine, internet site, or other periodical
19 publication of general circulation.

20 (2) A communication by a membership organization or
21 corporation to its members, stockholders, or employees.

22 (3) A commercial communication that depicts a candidate's
23 name, image, likeness, or voice only in the candidate's
24 capacity as owner, operator, or employee of a business that
25 existed prior to the organization of a candidate's committee by
26 the candidate pursuant to section 68A.202.

27 (4) A communication that constitutes a candidate debate or
28 forum or that solely promotes a candidate debate or forum and
29 is made by or on behalf of the person sponsoring the debate or
30 forum.

31 (5) A communication that the board determines by rule is not
32 an electioneering communication.

33 Sec. 33. Section 68A.402, subsection 9, Code 2022, is
34 amended to read as follows:

35 9. a. *Permanent organizations.* A permanent organization

1 temporarily engaging in activity described in section 68A.102,
2 subsection 18, shall organize a political committee and shall
3 keep the funds relating to that political activity segregated
4 from its operating funds. The political committee shall file
5 reports on the appropriate due dates as required by this
6 section.

7 b. The reports filed under this subsection shall identify
8 the all of the following:

9 (1) The source of the original funds used for a contribution
10 made to a candidate or a committee organized under this
11 chapter.

12 (2) The aggregate amount of contributions made by each
13 person.

14 (3) Each loan received from any person during the reporting
15 period.

16 (4) The amount and nature of debts and obligations owed to
17 the committee.

18 (5) Proceeds that total less than thirty-five dollars
19 per person from mass collections made at fund-raising events
20 sponsored by the committee.

21 (6) The total sum of contributions received by the committee
22 for a specified candidate or committee.

23 (7) The full name, mailing address, occupation, and
24 principal place of business, if any, of each person or
25 committee to whom an expenditure has been made during the
26 reporting period, including the amount, date, and purpose of
27 each expenditure and the total amount of expenditures to each
28 person or committee.

29 (8) The full name, mailing address, occupation, and
30 principal place of business, if any, of each person to whom an
31 expenditure for personal services, salaries, and reimbursement
32 of expenses has been made, including the amount, date,
33 and purpose of that expenditure, and the total amount of
34 expenditures made to each person.

35 (9) The total sum of expenditures made during the reporting

1 period.

2 (10) The full name, mailing address, occupation, and
3 principal place of business, if any, of any person to whom a
4 loan was made, and the full name, mailing address, occupation,
5 and principal place of business, if any, of any endorsers, and
6 the date and amount of each loan.

7 (11) The amount and nature of debts and obligations owed by
8 the committee.

9 (12) Other information as may be required by the board by
10 rule.

11 (13) For reports of expenditures made to a consultant,
12 advertising agency, polling firm, or other person that performs
13 services for the committee, the report shall be itemized
14 and described in sufficient detail to disclose the specific
15 services performed by the entity.

16 c. When the permanent organization ceases to be involved
17 in the political activity, the permanent organization shall
18 dissolve the political committee.

19 d. As used in this subsection, "*permanent organization*"
20 means an organization that is continuing, stable, and enduring,
21 and was originally organized for purposes other than engaging
22 in election activities.

23 Sec. 34. Section 68A.402A, subsection 1, paragraphs f and g,
24 Code 2022, are amended to read as follows:

25 f. The name and mailing address of each person and committee
26 to whom disbursements, payments for personal services,
27 salaries, reimbursement for expenses, or loan repayments
28 have been made by the committee from contributions during
29 the reporting period and the amount, purpose, and date of
30 each disbursement except that disbursements of less than five
31 dollars may be shown as miscellaneous disbursements so long as
32 the aggregate miscellaneous disbursements to any one person
33 during a calendar year do not exceed one hundred dollars.
34 Reports of disbursements under this paragraph must be itemized
35 and sufficiently detailed to disclose the specific services

1 performed by the person to whom a disbursement was made.

2 g. Disbursements made to a consultant, advertising agency,
3 or polling firm and disbursements made by the consultant,
4 advertising agency, or polling firm during the reporting
5 period disclosing the name and address of the recipient,
6 amount, purpose, and date. Reports of disbursements under
7 this paragraph must be itemized and sufficiently detailed to
8 disclose the specific services performed by the entity to whom
9 a disbursement was made.

10 Sec. 35. Section 68A.402A, subsection 1, Code 2022, is
11 amended by adding the following new paragraph:

12 NEW PARAGRAPH. 1. The total sum of disbursements made.

13 Sec. 36. NEW SECTION. 68A.404A Electioneering
14 communications — reports.

15 1. A person making an electioneering communication shall
16 file a report with the board, including a description of the
17 communication, how the communication was distributed, and
18 the amount of any expenditure made on the electioneering
19 communication, except that a person spending less than two
20 hundred fifty dollars on electioneering communications in a
21 taxable year shall not be required to file a report.

22 2. The board shall adopt rules for the form and schedule of
23 reports filed under this section.

24 Sec. 37. Section 68A.405, subsection 1, paragraphs b, c, d,
25 e, f, g, and h, Code 2022, are amended to read as follows:

26 b. (1) Except as set out in subsection 2, published
27 material designed to expressly advocate the nomination,
28 election, or defeat of a candidate for public office or
29 the passage or defeat of a ballot issue and electioneering
30 communications shall include on the published material
31 or electioneering communication an attribution statement
32 disclosing who is responsible for the published material or
33 electioneering communication.

34 (2) The person who is responsible for the published material
35 or electioneering communication has the sole responsibility

1 and liability for the attribution statement required by this
2 section.

3 *c.* If the person paying for the published material or
4 electioneering communication is an individual, the words "paid
5 for by" and the name and address of the person shall appear on
6 the published material or electioneering communication.

7 *d.* If more than one individual is responsible, the words
8 "paid for by", the names of the individuals, and either
9 the addresses of the individuals or a statement that the
10 addresses of the individuals are on file with the Iowa ethics
11 and campaign disclosure board shall appear on the published
12 material or electioneering communication.

13 *e.* If the person responsible is an organization, the words
14 "paid for by", the name and address of the organization, and
15 the name of one officer of the organization shall appear on the
16 published material or electioneering communication.

17 *f.* If the person responsible is a corporation, the words
18 "paid for by", the name and address of the corporation, and the
19 name and title of the corporation's chief executive officer
20 shall appear on the published material or electioneering
21 communication.

22 *g.* If the person responsible is a committee that has filed
23 a statement of organization pursuant to section 68A.201, the
24 words "paid for by" and the name of the committee shall appear
25 on the published material or electioneering communication.

26 *h.* If the published material or electioneering communication
27 is the result of an independent expenditure subject to section
28 68A.404, the published material or electioneering communication
29 shall include a statement that the published material or
30 electioneering communication was not authorized by any
31 candidate, candidate's committee, or ballot issue committee.

32 Sec. 38. Section 68A.405, subsection 2, paragraph d, Code
33 2022, is amended to read as follows:

34 *d.* Any published material or electioneering communication
35 that is subject to federal regulations regarding an attribution

1 requirement.

2 Sec. 39. Section 68A.405, subsection 4, Code 2022, is
3 amended to read as follows:

4 4. The board shall adopt rules relating to the placing of an
5 attribution statement on published materials and electioneering
6 communication.

7 DIVISION VIII

8 WEATHERIZATION ASSISTANCE

9 Sec. 40. Section 476.6, subsection 15, paragraph a,
10 subparagraph (1), subparagraph division (a), Code 2022, is
11 amended to read as follows:

12 (a) Electric utilities required to be rate-regulated under
13 this chapter shall file five-year energy efficiency plans
14 and demand response plans with the board. Gas utilities
15 required to be rate-regulated under this chapter shall file
16 five-year energy efficiency plans with the board. An energy
17 efficiency plan and budget or a demand response plan and budget
18 shall include a range of energy efficiency or demand response
19 programs, tailored to the needs of all customer classes,
20 including residential, commercial, and industrial customers,
21 for energy efficiency opportunities. The plans shall
22 include programs for qualified low-income persons including a
23 cooperative program with any community action agency within the
24 utility's service area to implement countywide or communitywide
25 energy efficiency programs for qualified low-income persons.
26 Energy efficiency plans filed by rate-regulated gas and
27 electric utilities shall include weatherization assistance
28 programs for qualified low-income persons, which programs shall
29 be funded by the gas or electric utility in an amount no less
30 than the amount used to fund such programs pursuant to the
31 gas or electric utility's five-year energy efficiency plan in
32 effect as of July 1, 2022. Rate-regulated gas and electric
33 utilities shall utilize Iowa agencies and Iowa contractors to
34 the maximum extent cost-effective in their energy efficiency
35 plans or demand response plans filed with the board.

1 Sec. 41. Section 476.6, subsection 15, paragraph c,
2 subparagraph (2), Code 2022, is amended to read as follows:

3 (2) (a) Notwithstanding the goals developed pursuant
4 to paragraph "b", the board shall not require or allow a gas
5 utility to adopt an energy efficiency plan that results in
6 projected cumulative average annual costs that exceed one
7 and one-half percent of the gas utility's expected annual
8 Iowa retail rate revenue from retail customers in the state,
9 shall not require or allow an electric utility to adopt an
10 energy efficiency plan that results in projected cumulative
11 average annual costs that exceed two percent of the electric
12 utility's expected annual Iowa retail rate revenue from retail
13 customers in the state, and shall not require or allow an
14 electric utility to adopt a demand response plan that results
15 in projected cumulative average annual costs that exceed two
16 percent of the electric utility's expected annual Iowa retail
17 rate revenue from retail customers in the state.

18 (b) For purposes of determining the one and one-half or two
19 percent threshold amount, the board shall exclude all of the
20 following from an a gas or electric utility's expected annual
21 Iowa retail rate revenue the:

22 (i) The revenues expected from customers that have received
23 exemptions from energy efficiency plans pursuant to paragraph
24 "a".

25 (ii) The costs of providing weatherization assistance
26 programs for qualified low-income persons, as required in
27 paragraph "a", subparagraph (1), subparagraph division (a).

28 (c) This subparagraph shall apply to energy efficiency
29 plans and demand response plans that are effective on or after
30 January 1, ~~2019~~ 2022.

31 Sec. 42. RETROACTIVE APPLICABILITY. This division of
32 this Act applies retroactively to January 1, 2022, for energy
33 efficiency plans that are effective on or after January 1,
34 2022.

35

DIVISION IX

1 USE OF PRIMARY ROAD FUND MONEYS

2 Sec. 43. Section 313.4, subsection 1, paragraph c, Code
3 2022, is amended by striking the paragraph.

4 DIVISION X

5 MEDICAID EXTENDED POSTPARTUM COVERAGE OPTION — APPROPRIATION

6 Sec. 44. MEDICAID EXTENDED POSTPARTUM COVERAGE OPTION. The
7 department of human services shall submit a Medicaid state plan
8 amendment to the centers for Medicare and Medicaid services of
9 the United States department of health and human services for
10 approval of the option to provide twelve months of continuous
11 postpartum coverage under the Medicaid program to pregnant
12 women enrolled in the Medicaid program in accordance with
13 section 1902(e)(16) of the Social Security Act.

14 Sec. 45. MEDICAID EXTENDED POSTPARTUM COVERAGE OPTION —
15 APPROPRIATION. There is appropriated from the general fund of
16 the state to the department of human services for the following
17 fiscal years, the following amounts or so much thereof as is
18 necessary to fund extended postpartum coverage to pregnant
19 women enrolled in the Medicaid program in accordance with this
20 division of this Act:

21 FY 2022-2023:

22 \$ 5,588,660

23 FY 2023-2024:

24 \$ 8,878,785

25 DIVISION XI

26 MEDICAL CANNABIDIOL PROGRAM

27 Sec. 46. Section 124E.1, Code 2022, is amended to read as
28 follows:

29 124E.1 Short title.

30 This chapter shall be known and may be cited as the “*Medical*
31 *Cannabidiol Cannabis Act*”.

32 Sec. 47. Section 124E.2, subsection 2, Code 2022, is amended
33 by adding the following new paragraph:

34 NEW PARAGRAPH. 1. Any other medical condition for which
35 the patient’s health care practitioner determines the use of

1 medical cannabis could be medically beneficial.

2 Sec. 48. Section 124E.2, subsection 7, Code 2022, is amended
3 to read as follows:

4 7. "*Health care practitioner*" means an individual licensed
5 under chapter 148 to practice medicine and surgery or
6 osteopathic medicine and surgery, a physician assistant
7 licensed under chapter 148C, an advanced registered nurse
8 practitioner licensed under chapter 152, or an advanced
9 practice registered nurse under chapter 152E, who is a
10 patient's primary care provider, ~~or~~ a podiatrist licensed
11 pursuant to chapter 149, or a pharmacist licensed pursuant
12 to chapter 155A who has completed medical cannabis training
13 requirements imposed by the board of pharmacy.

14 Sec. 49. Section 124E.3, subsection 1, paragraph a, Code
15 2022, is amended to read as follows:

16 a. (1) Determine, in the health care practitioner's medical
17 judgment, whether the patient whom the health care practitioner
18 has examined and treated suffers from a debilitating medical
19 condition that qualifies for the use of medical ~~cannabidiol~~
20 cannabis under this chapter, and if so determined, provide the
21 patient with a written certification of that diagnosis.

22 (2) If a health care practitioner determines that the
23 patient whom the health care practitioner has examined and
24 treated suffers from a debilitating medical condition pursuant
25 to section 124E.2, subsection 2, paragraph "1", that qualifies
26 for the use of medical cannabis under this chapter, the health
27 care practitioner's written certification shall be based on
28 reasonable medical evidence, and shall be made in good faith,
29 in the best interest of the patient, without fraudulent intent,
30 and with the same reasonable medical judgment and prudence
31 exercised according to generally accepted medical practice.

32 Sec. 50. Section 124E.4, subsection 1, paragraph e, Code
33 2022, is amended to read as follows:

34 e. Submits a medical ~~cannabidiol~~ cannabis registration
35 card fee of ~~one hundred~~ ten dollars to the department. If

1 the patient ~~attests to receiving social security disability~~
2 ~~benefits, supplemental security insurance payments, or being~~
3 ~~enrolled in the medical assistance program, the fee shall be~~
4 ~~twenty-five dollars~~ submits documentation that the patient is a
5 veteran as defined in section 35.1, the department shall waive
6 the fee.

7 Sec. 51. Section 124E.4, subsection 3, paragraph c, Code
8 2022, is amended to read as follows:

9 c. Submits a medical ~~cannabidiol~~ cannabis registration card
10 fee of ~~twenty-five~~ ten dollars to the department.

11 Sec. 52. Section 124E.5, subsection 1, paragraphs a and b,
12 Code 2022, are amended to read as follows:

13 a. A medical ~~cannabidiol~~ cannabis board is created
14 consisting of ~~eight~~ ten practitioners representing the fields
15 of neurology, pain management, gastroenterology, oncology,
16 psychiatry, pediatrics, family medicine, physician assistance,
17 advanced practice registered nursing, and pharmacy, and one
18 representative from law enforcement.

19 b. The practitioners shall be licensed in this state and
20 nationally board-certified in their area of specialty and
21 knowledgeable about the use of medical ~~cannabidiol~~ cannabis.

22 Sec. 53. Section 124E.7, subsection 12, paragraph c, Code
23 2022, is amended to read as follows:

24 c. A medical ~~cannabidiol~~ cannabis manufacturer ~~shall not~~
25 may manufacture edible medical ~~cannabidiol~~ cannabis products.
26 However, an edible medical cannabis product shall not appear
27 in a form or be sold in packaging that would be likely to
28 appeal to children. The department shall adopt rules for the
29 implementation of this paragraph.

30 Sec. 54. Section 124E.9, subsection 14, Code 2022, is
31 amended to read as follows:

32 14. A medical ~~cannabidiol~~ cannabis dispensary shall not
33 dispense more than a combined total of ~~four and one-half~~
34 seventeen grams of total tetrahydrocannabinol to a patient and
35 the patient's primary caregiver in a ninety-day period, except

1 as provided in subsection 15.

2 Sec. 55. Section 124E.9, subsection 15, unnumbered
3 paragraph 1, Code 2022, is amended to read as follows:

4 A medical ~~cannabidiol~~ cannabis dispensary may dispense
5 more than a combined total of ~~four and one-half~~ seventeen
6 grams of total tetrahydrocannabinol to a patient and the
7 patient's primary caregiver in a ninety-day period if any of
8 the following apply:

9 Sec. 56. Section 124E.9, subsection 15, paragraph b, Code
10 2022, is amended to read as follows:

11 b. The health care practitioner who certified the patient
12 to receive a medical ~~cannabidiol~~ cannabis registration
13 card certifies that the patient has participated in the
14 medical ~~cannabidiol~~ cannabis program and that the health
15 care practitioner has determined that ~~four and one-half~~
16 seventeen grams of total tetrahydrocannabinol in a ninety-day
17 period is insufficient to treat the patient's debilitating
18 medical condition. A certification issued pursuant to this
19 paragraph shall include a total tetrahydrocannabinol cap deemed
20 appropriate by the patient's health care practitioner.

21 Sec. 57. Section 124E.9, Code 2022, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 16. A medical cannabis dispensary may send
24 medical cannabis to a patient or a patient's primary caregiver
25 following an initial telehealth consultation with the patient
26 and receipt of proof that the patient or patient's primary
27 caregiver possesses a valid medical cannabis registration card.
28 The department shall adopt rules for the implementation of this
29 subsection.

30 Sec. 58. NEW SECTION. 155A.49 **Medical cannabis —**
31 **recommendation.**

32 The board shall adopt rules establishing the requirements a
33 pharmacist must meet prior to recommending the use of medical
34 cannabis by a patient pursuant to chapter 124E.

35 Sec. 59. Section 423.3, subsection 60, paragraph a,

1 grade cannabinoid found in the plant Cannabis sativa L. or
2 Cannabis indica or any other preparation thereof that is
3 delivered in a form recommended by the medical ~~cannabidiol~~
4 cannabis board, approved by the board of medicine, and adopted
5 by the department pursuant to rule.

6 11. "*Primary caregiver*" means a person who is a resident of
7 this state or a bordering state as defined in section 331.910,
8 including but not limited to a parent or legal guardian, at
9 least eighteen years of age, who has been designated by a
10 patient's health care practitioner as a necessary caretaker
11 taking responsibility for managing the well-being of the
12 patient with respect to the use of medical ~~cannabidiol~~ cannabis
13 pursuant to the provisions of this chapter.

14 Sec. 62. Section 124E.3, subsection 1, unnumbered paragraph
15 1, Code 2022, is amended to read as follows:

16 Prior to a patient's submission of an application for a
17 medical ~~cannabidiol~~ cannabis registration card pursuant to
18 section 124E.4, a health care practitioner shall do all of the
19 following:

20 Sec. 63. Section 124E.3, subsection 1, paragraph b, Code
21 2022, is amended to read as follows:

22 b. Provide explanatory information as provided by the
23 department to the patient about the therapeutic use of medical
24 ~~cannabidiol~~ cannabis and the possible risks, benefits, and side
25 effects of the proposed treatment.

26 Sec. 64. Section 124E.4, subsection 1, unnumbered paragraph
27 1, Code 2022, is amended to read as follows:

28 Subject to subsection 6, the department may issue a medical
29 ~~cannabidiol~~ cannabis registration card to a patient who:

30 Sec. 65. Section 124E.4, subsection 2, unnumbered paragraph
31 1, Code 2022, is amended to read as follows:

32 A medical ~~cannabidiol~~ cannabis registration card issued to
33 a patient by the department pursuant to subsection 1 shall
34 contain, at a minimum, all of the following:

35 Sec. 66. Section 124E.4, subsection 2, paragraph b, Code

1 2022, is amended to read as follows:

2 *b.* The date of issuance and expiration date of the medical
3 ~~cannabidiol~~ cannabis registration card.

4 Sec. 67. Section 124E.4, subsection 3, unnumbered paragraph
5 1, Code 2022, is amended to read as follows:

6 For a patient in a primary caregiver's care, subject to
7 subsection 6, the department may issue a medical ~~cannabidiol~~
8 cannabis registration card to the primary caregiver who:

9 Sec. 68. Section 124E.4, subsection 4, unnumbered paragraph
10 1, Code 2022, is amended to read as follows:

11 A medical ~~cannabidiol~~ cannabis registration card issued by
12 the department to a primary caregiver pursuant to subsection 3
13 shall contain, at a minimum, all of the following:

14 Sec. 69. Section 124E.4, subsection 4, paragraph c, Code
15 2022, is amended to read as follows:

16 *c.* The medical ~~cannabidiol~~ cannabis registration card
17 number of each patient in the primary caregiver's care. If
18 the patient in the primary caregiver's care is under the age
19 of eighteen, the full name of the patient's parent or legal
20 guardian.

21 Sec. 70. Section 124E.4, subsections 5 and 6, Code 2022, are
22 amended to read as follows:

23 5. *Expiration date of card.* A medical ~~cannabidiol~~ cannabis
24 registration card issued pursuant to this section shall expire
25 one year after the date of issuance and may be renewed.

26 6. *Federally approved clinical trials.* The department shall
27 not approve the issuance of a medical ~~cannabidiol~~ cannabis
28 registration card pursuant to this section for a patient who
29 is enrolled in a federally approved clinical trial for the
30 treatment of a debilitating medical condition with medical
31 ~~cannabidiol~~ cannabis.

32 Sec. 71. Section 124E.5, subsections 2, 3, 4, 5, and 6, Code
33 2022, are amended to read as follows:

34 2. The medical ~~cannabidiol~~ cannabis board shall convene at
35 least twice per year.

1 3. The duties of the medical ~~cannabidiol~~ cannabis board
2 shall include but not be limited to the following:

3 a. Accepting and reviewing petitions to add medical
4 conditions, medical treatments, or debilitating diseases to the
5 list of debilitating medical conditions for which the medical
6 use of ~~cannabidiol~~ cannabis would be medically beneficial under
7 this chapter.

8 b. Making recommendations relating to the removal or
9 addition of debilitating medical conditions to the list
10 of allowable debilitating medical conditions for which the
11 medical use of ~~cannabidiol~~ cannabis under this chapter would
12 be medically beneficial.

13 c. Working with the department regarding the requirements
14 for the licensure of medical ~~cannabidiol~~ cannabis manufacturers
15 and medical ~~cannabidiol~~ cannabis dispensaries, including
16 licensure procedures.

17 d. Advising the department regarding the location of medical
18 ~~cannabidiol~~ cannabis manufacturers and medical ~~cannabidiol~~
19 cannabis dispensaries throughout the state.

20 e. Making recommendations relating to the form and quantity
21 of allowable medical uses of ~~cannabidiol~~ cannabis.

22 4. Recommendations made by the medical ~~cannabidiol~~ cannabis
23 board pursuant to subsection 3, paragraphs "b" and "e", shall
24 be made to the board of medicine for consideration, and if
25 approved, shall be adopted by the board of medicine by rule.

26 5. On or before January 1 of each year, beginning January
27 1, 2018, the medical ~~cannabidiol~~ cannabis board shall submit a
28 report detailing the activities of the board.

29 6. The general assembly shall have the sole authority
30 to revise the definition of medical ~~cannabidiol~~ cannabis for
31 purposes of this chapter.

32 Sec. 72. Section 124E.6, Code 2022, is amended to read as
33 follows:

34 **124E.6 Medical ~~cannabidiol~~ cannabis manufacturer licensure.**

35 1. a. The department shall issue a request for proposals

1 to select and license by December 1, 2017, up to two medical
2 ~~cannabidiol~~ cannabis manufacturers to manufacture and to
3 possess, cultivate, harvest, transport, package, process,
4 or supply medical ~~cannabidiol~~ cannabis within this state
5 consistent with the provisions of this chapter. The department
6 shall license new medical ~~cannabidiol~~ cannabis manufacturers
7 or relicense the existing medical ~~cannabidiol~~ cannabis
8 manufacturers by December 1 of each year.

9 *b.* Information submitted during the application process
10 shall be confidential until a medical ~~cannabidiol~~ cannabis
11 manufacturer is licensed by the department unless otherwise
12 protected from disclosure under state or federal law.

13 2. As a condition for licensure, a medical ~~cannabidiol~~
14 cannabis manufacturer must agree to begin supplying medical
15 ~~cannabidiol~~ cannabis to medical ~~cannabidiol~~ cannabis
16 dispensaries in this state no later than December 1, 2018.

17 3. The department shall consider the following factors in
18 determining whether to select and license a medical ~~cannabidiol~~
19 cannabis manufacturer:

20 *a.* The technical expertise of the medical ~~cannabidiol~~
21 cannabis manufacturer regarding medical ~~cannabidiol~~ cannabis.

22 *b.* The qualifications of the medical ~~cannabidiol~~ cannabis
23 manufacturer's employees.

24 *c.* The long-term financial stability of the medical
25 ~~cannabidiol~~ cannabis manufacturer.

26 *d.* The ability to provide appropriate security measures on
27 the premises of the medical ~~cannabidiol~~ cannabis manufacturer.

28 *e.* Whether the medical ~~cannabidiol~~ cannabis manufacturer
29 has demonstrated an ability to meet certain medical ~~cannabidiol~~
30 cannabis production needs for medical use regarding the range
31 of recommended dosages for each debilitating medical condition,
32 the range of chemical compositions of any plant of the genus
33 cannabis that will likely be medically beneficial for each
34 of the debilitating medical conditions, and the form of the
35 medical ~~cannabidiol~~ cannabis in the manner determined by the

1 department pursuant to rule.

2 *f.* The medical ~~cannabidiol~~ cannabis manufacturer's
3 projection of and ongoing assessment of fees on patients with
4 debilitating medical conditions.

5 4. A medical ~~cannabidiol~~ cannabis manufacturer shall
6 contract with a laboratory to perform spot-check testing of
7 the medical ~~cannabidiol~~ cannabis produced by the medical
8 ~~cannabidiol~~ cannabis manufacturer as provided in section
9 124E.7. The department shall require that the laboratory
10 report testing results to the medical ~~cannabidiol~~ cannabis
11 manufacturer and the department as determined by the department
12 by rule. If a medical ~~cannabidiol~~ cannabis manufacturer
13 contracts with a laboratory other than the state hygienic
14 laboratory at the university of Iowa in Iowa City, the
15 department shall approve the laboratory to perform testing
16 pursuant to this chapter.

17 5. Each entity submitting an application for licensure
18 as a medical ~~cannabidiol~~ cannabis manufacturer shall pay a
19 nonrefundable application fee of seven thousand five hundred
20 dollars to the department.

21 Sec. 73. Section 124E.7, subsections 1, 2, 3, 4, 5, 6, 7, 8,
22 9, 10, and 11, Code 2022, are amended to read as follows:

23 1. A medical ~~cannabidiol~~ cannabis manufacturer shall
24 contract with a laboratory to perform spot-check testing of
25 the medical ~~cannabidiol~~ cannabis produced by the medical
26 ~~cannabidiol~~ cannabis manufacturer as to content, contamination,
27 and consistency. The cost of all laboratory testing shall be
28 paid by the medical ~~cannabidiol~~ cannabis manufacturer.

29 2. The operating documents of a medical ~~cannabidiol~~
30 cannabis manufacturer shall include all of the following:

31 *a.* Procedures for the oversight of the medical ~~cannabidiol~~
32 cannabis manufacturer and procedures to ensure accurate
33 recordkeeping.

34 *b.* Procedures for the implementation of appropriate security
35 measures to deter and prevent the theft of medical ~~cannabidiol~~

1 cannabis and unauthorized entrance into areas containing
2 medical ~~cannabidiol~~ cannabis.

3 3. A medical ~~cannabidiol~~ cannabis manufacturer shall
4 implement security requirements, including requirements for
5 protection of each location by a fully operational security
6 alarm system, facility access controls, perimeter intrusion
7 detection systems, and a personnel identification system.

8 4. A medical ~~cannabidiol~~ cannabis manufacturer shall
9 not share office space with, refer patients to, or have any
10 financial relationship with a health care practitioner.

11 5. A medical ~~cannabidiol~~ cannabis manufacturer shall not
12 permit any person to consume medical ~~cannabidiol~~ cannabis on
13 the property of the medical ~~cannabidiol~~ cannabis manufacturer.

14 6. A medical ~~cannabidiol~~ cannabis manufacturer is subject
15 to reasonable inspection by the department.

16 7. A medical ~~cannabidiol~~ cannabis manufacturer shall not
17 employ a person who is under eighteen years of age or who has
18 been convicted of a disqualifying felony offense. An employee
19 of a medical ~~cannabidiol~~ cannabis manufacturer shall be subject
20 to a background investigation conducted by the division of
21 criminal investigation of the department of public safety and a
22 national criminal history background check pursuant to section
23 124E.19.

24 8. A medical ~~cannabidiol~~ cannabis manufacturer owner shall
25 not have been convicted of a disqualifying felony offense and
26 shall be subject to a background investigation conducted by
27 the division of criminal investigation of the department of
28 public safety and a national criminal history background check
29 pursuant to section 124E.19.

30 9. A medical ~~cannabidiol~~ cannabis manufacturer shall not
31 operate at the same physical location as a medical ~~cannabidiol~~
32 cannabis dispensary.

33 10. A medical ~~cannabidiol~~ cannabis manufacturer shall not
34 operate in any location, whether for manufacturing, possessing,
35 cultivating, harvesting, transporting, packaging, processing,

1 or supplying, within one thousand feet of a public or private
2 school existing before the date of the medical ~~cannabidiol~~
3 cannabis manufacturer's licensure by the department.

4 11. A medical ~~cannabidiol~~ cannabis manufacturer shall
5 comply with reasonable restrictions set by the department
6 relating to signage, marketing, display, and advertising of
7 medical ~~cannabidiol~~ cannabis.

8 Sec. 74. Section 124E.7, subsection 12, paragraphs a and b,
9 Code 2022, are amended to read as follows:

10 a. A medical ~~cannabidiol~~ cannabis manufacturer shall provide
11 a reliable and ongoing supply of medical ~~cannabidiol~~ cannabis
12 to medical ~~cannabidiol~~ cannabis dispensaries pursuant to this
13 chapter.

14 b. All manufacturing, cultivating, harvesting, packaging,
15 and processing of medical ~~cannabidiol~~ cannabis shall take place
16 in an enclosed, locked facility at a physical address provided
17 to the department during the licensure process.

18 Sec. 75. Section 124E.8, Code 2022, is amended to read as
19 follows:

20 **124E.8 Medical ~~cannabidiol~~ cannabis dispensary licensure.**

21 1. a. The department shall issue a request for proposals
22 to select and license by April 1, 2018, up to five medical
23 ~~cannabidiol~~ cannabis dispensaries to dispense medical
24 ~~cannabidiol~~ cannabis within this state consistent with the
25 provisions of this chapter. The department shall license new
26 medical ~~cannabidiol~~ cannabis dispensaries or relicense the
27 existing medical ~~cannabidiol~~ cannabis dispensaries by December
28 1 of each year.

29 b. Information submitted during the application process
30 shall be confidential until a medical ~~cannabidiol~~ cannabis
31 dispensary is licensed by the department unless otherwise
32 protected from disclosure under state or federal law.

33 2. As a condition for licensure, a medical ~~cannabidiol~~
34 cannabis dispensary must agree to begin supplying medical
35 ~~cannabidiol~~ cannabis to patients by December 1, 2018.

1 3. The department shall consider the following factors in
2 determining whether to select and license a medical ~~cannabidiol~~
3 cannabis dispensary:

4 *a.* The technical expertise of the medical ~~cannabidiol~~
5 cannabis dispensary regarding medical ~~cannabidiol~~ cannabis.

6 *b.* The qualifications of the medical ~~cannabidiol~~ cannabis
7 dispensary's employees.

8 *c.* The long-term financial stability of the medical
9 ~~cannabidiol~~ cannabis dispensary.

10 *d.* The ability to provide appropriate security measures on
11 the premises of the medical ~~cannabidiol~~ cannabis dispensary.

12 *e.* The medical ~~cannabidiol~~ cannabis dispensary's projection
13 and ongoing assessment of fees for the purchase of medical
14 ~~cannabidiol~~ cannabis on patients with debilitating medical
15 conditions.

16 4. Each entity submitting an application for licensure
17 as a medical ~~cannabidiol~~ cannabis dispensary shall pay a
18 nonrefundable application fee of five thousand dollars to the
19 department.

20 Sec. 76. Section 124E.9, subsections 1, 2, 3, 4, 5, 6, 7,
21 8, 9, 10, 11, 12, and 13, Code 2022, are amended to read as
22 follows:

23 1. *a.* The medical ~~cannabidiol~~ cannabis dispensaries shall
24 be located based on geographical need throughout the state to
25 improve patient access.

26 *b.* A medical ~~cannabidiol~~ cannabis dispensary may dispense
27 medical ~~cannabidiol~~ cannabis pursuant to the provisions of this
28 chapter but shall not dispense any medical ~~cannabidiol~~ cannabis
29 in a form or quantity other than the form or quantity allowed
30 by the department pursuant to rule.

31 2. The operating documents of a medical ~~cannabidiol~~
32 cannabis dispensary shall include all of the following:

33 *a.* Procedures for the oversight of the medical ~~cannabidiol~~
34 cannabis dispensary and procedures to ensure accurate
35 recordkeeping.

1 *b.* Procedures for the implementation of appropriate security
2 measures to deter and prevent the theft of medical ~~cannabidiol~~
3 cannabis and unauthorized entrance into areas containing
4 medical ~~cannabidiol~~ cannabis.

5 3. A medical ~~cannabidiol~~ cannabis dispensary shall
6 implement security requirements, including requirements for
7 protection by a fully operational security alarm system,
8 facility access controls, perimeter intrusion detection
9 systems, and a personnel identification system.

10 4. A medical ~~cannabidiol~~ cannabis dispensary shall not
11 share office space with, refer patients to, or have any
12 financial relationship with a health care practitioner.

13 5. A medical ~~cannabidiol~~ cannabis dispensary shall not
14 permit any person to consume medical ~~cannabidiol~~ cannabis on
15 the property of the medical ~~cannabidiol~~ cannabis dispensary.

16 6. A medical ~~cannabidiol~~ cannabis dispensary is subject to
17 reasonable inspection by the department.

18 7. A medical ~~cannabidiol~~ cannabis dispensary shall not
19 employ a person who is under eighteen years of age or who has
20 been convicted of a disqualifying felony offense. An employee
21 of a medical ~~cannabidiol~~ cannabis dispensary shall be subject
22 to a background investigation conducted by the division of
23 criminal investigation of the department of public safety and a
24 national criminal history background check pursuant to section
25 124E.19.

26 8. A medical ~~cannabidiol~~ cannabis dispensary owner shall
27 not have been convicted of a disqualifying felony offense and
28 shall be subject to a background investigation conducted by
29 the division of criminal investigation of the department of
30 public safety and a national criminal history background check
31 pursuant to section 124E.19.

32 9. A medical ~~cannabidiol~~ cannabis dispensary shall not
33 operate at the same physical location as a medical ~~cannabidiol~~
34 cannabis manufacturer.

35 10. A medical ~~cannabidiol~~ cannabis dispensary shall not

1 operate in any location within one thousand feet of a public
2 or private school existing before the date of the medical
3 ~~cannabidiol~~ cannabis dispensary's licensure by the department.

4 11. A medical ~~cannabidiol~~ cannabis dispensary shall comply
5 with reasonable restrictions set by the department relating
6 to signage, marketing, display, and advertising of medical
7 ~~cannabidiol~~ cannabis.

8 12. Prior to dispensing of any medical ~~cannabidiol~~
9 cannabis, a medical ~~cannabidiol~~ cannabis dispensary shall do
10 all of the following:

11 a. Verify that the medical ~~cannabidiol~~ cannabis dispensary
12 has received a valid medical ~~cannabidiol~~ cannabis registration
13 card from a patient or a patient's primary caregiver, if
14 applicable.

15 b. Assign a tracking number to any medical ~~cannabidiol~~
16 cannabis dispensed from the medical ~~cannabidiol~~ cannabis
17 dispensary.

18 c. Properly package medical ~~cannabidiol~~ cannabis in
19 compliance with federal law regarding child resistant packaging
20 and exemptions for packaging for elderly patients, and
21 label medical ~~cannabidiol~~ cannabis with a list of all active
22 ingredients and individually identifying information.

23 13. A medical ~~cannabidiol~~ cannabis dispensary shall employ
24 a pharmacist or pharmacy technician licensed or registered
25 pursuant to chapter 155A for the purpose of making dosing
26 recommendations.

27 Sec. 77. Section 124E.9, subsection 15, paragraph a, Code
28 2022, is amended to read as follows:

29 a. The health care practitioner who certified the patient
30 to receive a medical ~~cannabidiol~~ cannabis registration card
31 certifies that patient's debilitating medical condition is a
32 terminal illness with a life expectancy of less than one year.
33 A certification issued pursuant to this paragraph shall include
34 a total tetrahydrocannabinol cap deemed appropriate by the
35 patient's health care practitioner.

1 Sec. 78. Section 124E.10, Code 2022, is amended to read as
2 follows:

3 **124E.10 Fees.**

4 All fees collected by the department under this chapter
5 shall be retained by the department for operation of the
6 medical ~~cannabidiol~~ cannabis registration card program and
7 the medical ~~cannabidiol~~ cannabis manufacturer and medical
8 ~~cannabidiol~~ cannabis dispensary licensing programs. The moneys
9 retained by the department shall be considered repayment
10 receipts as defined in section 8.2 and shall be used for any of
11 the department's duties under this chapter, including but not
12 limited to the addition of full-time equivalent positions for
13 program services and investigations. Notwithstanding section
14 8.33, moneys retained by the department pursuant to this
15 section shall not revert to the general fund of the state but
16 shall remain available for expenditure only for the purposes
17 specified in this section.

18 Sec. 79. Section 124E.11, subsection 1, paragraph a, Code
19 2022, is amended to read as follows:

20 a. The department shall maintain a confidential file of the
21 names of each patient to or for whom the department issues a
22 medical ~~cannabidiol~~ cannabis registration card and the name of
23 each primary caregiver to whom the department issues a medical
24 ~~cannabidiol~~ cannabis registration card under section 124E.4.

25 Sec. 80. Section 124E.11, subsection 1, paragraph b,
26 subparagraph (1), subparagraph divisions (b) and (d), Code
27 2022, are amended to read as follows:

28 (b) To authorized employees of law enforcement agencies
29 of a state or political subdivision thereof, but only for the
30 purpose of verifying that a person is lawfully in possession
31 of a medical ~~cannabidiol~~ cannabis registration card issued
32 pursuant to this chapter.

33 (d) To any other authorized persons recognized by the
34 department by rule, but only for the purpose of verifying that
35 a person is lawfully in possession of a medical ~~cannabidiol~~

1 cannabis registration card issued pursuant to this chapter.

2 Sec. 81. Section 124E.11, subsection 2, Code 2022, is
3 amended to read as follows:

4 2. The department shall adopt rules pursuant to chapter
5 17A to administer this chapter which shall include but not be
6 limited to rules to do all of the following:

7 a. Govern the manner in which the department shall consider
8 applications for new and renewal medical ~~cannabidiol~~ cannabis
9 registration cards.

10 b. Ensure that the medical ~~cannabidiol~~ cannabis registration
11 card program operates on a self-sustaining basis.

12 c. Establish the form and quantity of medical ~~cannabidiol~~
13 cannabis allowed to be dispensed to a patient or primary
14 caregiver pursuant to this chapter as appropriate to serve the
15 medical needs of patients with debilitating medical conditions,
16 subject to recommendation by the medical ~~cannabidiol~~ cannabis
17 board and approval by the board of medicine.

18 d. Establish requirements for the licensure of medical
19 ~~cannabidiol~~ cannabis manufacturers and medical ~~cannabidiol~~
20 cannabis dispensaries and set forth procedures for medical
21 ~~cannabidiol~~ cannabis manufacturers and medical ~~cannabidiol~~
22 cannabis dispensaries to obtain licenses.

23 e. Develop a dispensing system for medical ~~cannabidiol~~
24 cannabis within this state that provides for all of the
25 following:

26 (1) Medical ~~cannabidiol~~ cannabis dispensaries within this
27 state housed on secured grounds and operated by licensed
28 medical ~~cannabidiol~~ cannabis dispensaries.

29 (2) The dispensing of medical ~~cannabidiol~~ cannabis to
30 patients and their primary caregivers to occur at locations
31 designated by the department.

32 f. Establish and collect annual fees from medical
33 ~~cannabidiol~~ cannabis manufacturers and medical ~~cannabidiol~~
34 cannabis dispensaries to cover the costs associated with
35 regulating and inspecting medical ~~cannabidiol~~ cannabis

1 manufacturers and medical ~~cannabidiol~~ cannabis dispensaries.

2 *g.* Specify and implement procedures that address public
3 safety including security procedures and product quality
4 including measures to ensure contaminant-free cultivation of
5 medical ~~cannabidiol~~ cannabis, safety, and labeling.

6 *h.* Establish and implement a real-time, statewide medical
7 ~~cannabidiol~~ cannabis registry management sale tracking system
8 that is available to medical ~~cannabidiol~~ cannabis dispensaries
9 on a twenty-four-hour-a-day, seven-day-a-week basis for the
10 purpose of verifying that a person is lawfully in possession
11 of a medical ~~cannabidiol~~ cannabis registration card issued
12 pursuant to this chapter and for tracking the date of the sale
13 and quantity of medical ~~cannabidiol~~ cannabis purchased by a
14 patient or a primary caregiver.

15 *i.* Establish and implement a medical ~~cannabidiol~~ cannabis
16 inventory and delivery tracking system to track medical
17 ~~cannabidiol~~ cannabis from production by a medical ~~cannabidiol~~
18 cannabis manufacturer through dispensing at a medical
19 ~~cannabidiol~~ cannabis dispensary.

20 Sec. 82. Section 124E.12, Code 2022, is amended to read as
21 follows:

22 **124E.12 Use of medical ~~cannabidiol~~ cannabis — affirmative**
23 **defenses.**

24 1. A health care practitioner, including any authorized
25 agent or employee thereof, shall not be subject to
26 prosecution for the unlawful certification, possession, or
27 administration of marijuana under the laws of this state for
28 activities arising directly out of or directly related to the
29 certification or use of medical ~~cannabidiol~~ cannabis in the
30 treatment of a patient diagnosed with a debilitating medical
31 condition as authorized by this chapter.

32 2. A medical ~~cannabidiol~~ cannabis manufacturer, including
33 any authorized agent or employee thereof, shall not be subject
34 to prosecution for manufacturing, possessing, cultivating,
35 harvesting, transporting, packaging, processing, or supplying

1 medical ~~cannabidiol~~ cannabis pursuant to this chapter.

2 3. A medical ~~cannabidiol~~ cannabis dispensary, including
3 any authorized agent or employee thereof, shall not be subject
4 to prosecution for dispensing medical ~~cannabidiol~~ cannabis
5 pursuant to this chapter.

6 4. a. In a prosecution for the unlawful possession of
7 marijuana under the laws of this state for the possession
8 of medical ~~cannabidiol~~ cannabis, including but not limited
9 to chapters 124 and 453B, it is an affirmative and complete
10 defense to the prosecution that the patient has been diagnosed
11 with a debilitating medical condition, used or possessed
12 medical ~~cannabidiol~~ cannabis pursuant to a certification by a
13 health care practitioner as authorized under this chapter, and,
14 for a patient eighteen years of age or older, is in possession
15 of a valid medical ~~cannabidiol~~ cannabis registration card
16 issued pursuant to this chapter.

17 b. In a prosecution for the unlawful possession of marijuana
18 under the laws of this state for the possession of medical
19 ~~cannabidiol~~ cannabis, including but not limited to chapters
20 124 and 453B, it is an affirmative and complete defense to
21 the prosecution that the person possessed medical ~~cannabidiol~~
22 cannabis because the person is a primary caregiver of a patient
23 who has been diagnosed with a debilitating medical condition
24 and is in possession of a valid medical ~~cannabidiol~~ cannabis
25 registration card issued pursuant to this chapter, and where
26 the primary caregiver's possession of the medical ~~cannabidiol~~
27 cannabis is on behalf of the patient and for the patient's use
28 only as authorized under this chapter.

29 c. If a patient or primary caregiver is charged with
30 the unlawful possession of marijuana under the laws of this
31 state for the possession of medical ~~cannabidiol~~ cannabis,
32 including but not limited to chapters 124 and 453B, and is not
33 in possession of the person's medical ~~cannabidiol~~ cannabis
34 registration card, any charge or charges filed against the
35 person for the possession of medical ~~cannabidiol~~ cannabis

1 shall be dismissed by the court if the person produces to the
2 court prior to or at the person's trial a medical ~~cannabidiol~~
3 cannabis registration card issued to that person and valid at
4 the time the person was charged.

5 5. An agency of this state or a political subdivision
6 thereof, including any law enforcement agency, shall not remove
7 or initiate proceedings to remove a patient under the age
8 of eighteen from the home of a parent based solely upon the
9 parent's or patient's possession or use of medical ~~cannabidiol~~
10 cannabis as authorized under this chapter.

11 6. The department and any health care practitioner,
12 including any authorized agent or employee thereof, are not
13 subject to any civil or disciplinary penalties by the board
14 of medicine or any business, occupational, or professional
15 licensing board or entity, solely for activities conducted
16 relating to a patient's possession or use of medical
17 ~~cannabidiol~~ cannabis as authorized under this chapter. Nothing
18 in this section affects a professional licensing board from
19 taking action in response to violations of any other section
20 of law.

21 7. Notwithstanding any law to the contrary, the department,
22 the governor, or any employee of any state agency shall not
23 be held civilly or criminally liable for any injury, loss
24 of property, personal injury, or death caused by any act or
25 omission while acting within the scope of office or employment
26 as authorized under this chapter.

27 8. An attorney shall not be subject to disciplinary action
28 by the Iowa supreme court or attorney disciplinary board for
29 providing legal assistance to a patient, primary caregiver, or
30 others based upon a patient's or primary caregiver's possession
31 or use of medical ~~cannabidiol~~ cannabis as authorized under this
32 chapter.

33 9. Possession of a medical ~~cannabidiol~~ cannabis
34 registration card or an application for a medical ~~cannabidiol~~
35 cannabis registration card by a person entitled to possess or

1 apply for a medical ~~cannabidiol~~ cannabis registration card
2 shall not constitute probable cause or reasonable suspicion,
3 and shall not be used to support a search of the person or
4 property of the person possessing or applying for the medical
5 ~~cannabidiol~~ cannabis registration card, or otherwise subject
6 the person or property of the person to inspection by any
7 governmental agency.

8 Sec. 83. Section 124E.13, Code 2022, is amended to read as
9 follows:

10 **124E.13 Medical ~~cannabidiol~~ cannabis source.**

11 Medical ~~cannabidiol~~ cannabis provided exclusively pursuant
12 to a written certification of a health care practitioner, if
13 not legally available in this state or from any other bordering
14 state, shall be obtained from an out-of-state source.

15 Sec. 84. Section 124E.14, Code 2022, is amended to read as
16 follows:

17 **124E.14 Out-of-state medical ~~cannabidiol~~ cannabis**
18 **dispensaries.**

19 The department of public health shall utilize a request for
20 proposals process to select and license by December 1, 2017, up
21 to two out-of-state medical ~~cannabidiol~~ cannabis dispensaries
22 from a bordering state to sell and dispense medical ~~cannabidiol~~
23 cannabis to a patient or primary caregiver in possession of a
24 valid medical ~~cannabidiol~~ cannabis registration card issued
25 under this chapter.

26 Sec. 85. Section 124E.15, Code 2022, is amended to read as
27 follows:

28 **124E.15 Iowa patients and primary caregivers registering in**
29 **the state of Minnesota.**

30 A patient or a primary caregiver with a valid medical
31 ~~cannabidiol~~ cannabis registration card issued pursuant to this
32 chapter may register in the state of Minnesota as a visiting
33 qualified patient or primary caregiver and may register with
34 one or more medical cannabis manufacturers registered under the
35 laws of Minnesota.

1 Sec. 86. Section 124E.16, Code 2022, is amended to read as
2 follows:

3 **124E.16 Penalties.**

4 1. A person who knowingly or intentionally possesses or uses
5 medical ~~cannabidiol~~ cannabis in violation of the requirements
6 of this chapter is subject to the penalties provided under
7 chapters 124 and 453B.

8 2. A medical ~~cannabidiol~~ cannabis manufacturer or a medical
9 ~~cannabidiol~~ cannabis dispensary shall be assessed a civil
10 penalty of up to one thousand dollars per violation for any
11 violation of this chapter in addition to any other applicable
12 penalties.

13 Sec. 87. Section 124E.17, Code 2022, is amended to read as
14 follows:

15 **124E.17 Use of medical ~~cannabidiol~~ cannabis — smoking**
16 **prohibited.**

17 A patient shall not consume medical ~~cannabidiol~~ cannabis
18 possessed or used as authorized under this chapter by smoking
19 medical ~~cannabidiol~~ cannabis.

20 Sec. 88. Section 124E.18, Code 2022, is amended to read as
21 follows:

22 **124E.18 Reciprocity.**

23 A valid medical ~~cannabidiol~~ cannabis registration card,
24 or its equivalent, issued under the laws of another state
25 that allows an out-of-state patient to possess or use medical
26 ~~cannabidiol~~ cannabis in the jurisdiction of issuance shall
27 have the same force and effect as a valid medical ~~cannabidiol~~
28 cannabis registration card issued pursuant to this chapter,
29 except that an out-of-state patient in this state shall not
30 obtain medical ~~cannabidiol~~ cannabis from a medical ~~cannabidiol~~
31 cannabis dispensary in this state.

32 Sec. 89. Section 124E.19, subsections 1, 2, and 4, Code
33 2022, are amended to read as follows:

34 1. The division of criminal investigation of the
35 department of public safety shall conduct thorough background

1 investigations for the purposes of licensing medical
2 ~~cannabidiol~~ cannabis manufacturers and medical ~~cannabidiol~~
3 cannabis dispensaries under this chapter. The results of any
4 background investigation conducted pursuant to this section
5 shall be presented to the department.

6 a. An applicant for a medical ~~cannabidiol~~ cannabis
7 manufacturer license or a medical ~~cannabidiol~~ cannabis
8 dispensary license and their owners, investors, and employees
9 shall submit all required information on a form prescribed by
10 the department of public safety.

11 b. The department shall charge an applicant for a medical
12 ~~cannabidiol~~ cannabis manufacturer license or a medical
13 ~~cannabidiol~~ cannabis dispensary license a fee determined by
14 the department of public safety and adopted by the department
15 by rule to defray the costs associated with background
16 investigations conducted pursuant to the requirements of this
17 section. The fee shall be in addition to any other fees
18 charged by the department. The fee may be retained by the
19 department of public safety and shall be considered repayment
20 receipts as defined in section 8.2.

21 2. The department shall require an applicant for a
22 medical ~~cannabidiol~~ cannabis manufacturer license or a
23 medical ~~cannabidiol~~ cannabis dispensary license, their owners
24 and investors, and applicants for employment at a medical
25 ~~cannabidiol~~ cannabis manufacturer or medical ~~cannabidiol~~
26 cannabis dispensary to submit fingerprints and other required
27 identifying information to the department on a form prescribed
28 by the department of public safety. The department shall
29 submit the fingerprint cards and other identifying information
30 to the division of criminal investigation of the department
31 of public safety for submission to the federal bureau of
32 investigation for the purpose of conducting a national criminal
33 history record check. The department may require employees and
34 contractors involved in carrying out a background investigation
35 to submit fingerprints and other identifying information for

1 the same purpose.

2 4. An applicant for a medical ~~cannabidiol~~ cannabis
3 manufacturer license or a medical ~~cannabidiol~~ cannabis
4 dispensary license shall submit information and fees required
5 by this section at the time of application.

6 Sec. 90. Section 124E.20, Code 2022, is amended to read as
7 follows:

8 **124E.20 Observational effectiveness study.**

9 The department may conduct an observational effectiveness
10 study in cooperation with patients and health care
11 practitioners and pursuant to rules of the department in order
12 to study the effectiveness of medical ~~cannabidiol~~ cannabis in
13 the treatment of debilitating medical conditions.

14 Sec. 91. Section 204.17, subsection 4, Code 2022, is amended
15 to read as follows:

16 4. Nothing in this chapter shall be construed or applied
17 to authorize a person to manufacture, recommend, possess, use,
18 dispense, deliver, transport, or administer medical ~~cannabidiol~~
19 cannabis pursuant to chapter 124E.

20 Sec. 92. Section 730.5, subsection 11, paragraph f, Code
21 2022, is amended to read as follows:

22 *f.* Testing or taking action against an employee or
23 prospective employee with a confirmed positive test result due
24 to the employee's or prospective employee's use of medical
25 ~~cannabidiol~~ cannabis as authorized under chapter 124E.

26 DIVISION XIII

27 COLLECTIVE BARGAINING

28 Sec. 93. Section 20.1, subsection 2, paragraph a, Code 2022,
29 is amended to read as follows:

30 *a.* Determining appropriate bargaining units, amending
31 the composition of previously determined bargaining units
32 represented by a certified employee organization, reconsidering
33 and altering the composition of previously determined
34 bargaining units which are not represented by a certified
35 employee organization, and conducting representation elections.

1 Sec. 94. Section 20.3, subsection 11, Code 2022, is amended
2 by adding the following new paragraphs:

3 NEW PARAGRAPH. g. An employee of the Iowa department of
4 corrections who is responsible for the custody and supervision
5 of inmates through ongoing direct inmate contact, to enforce
6 and maintain discipline, safety, and security within a
7 correctional facility.

8 NEW PARAGRAPH. h. A jailer or detention officer who
9 performs duties as a jailer, including but not limited to the
10 transportation of inmates, who is certified as having completed
11 jailer training pursuant to chapter 80B, and who is employed
12 by a county as a jailer.

13 NEW PARAGRAPH. i. An emergency dispatcher for a county
14 sheriff.

15 NEW PARAGRAPH. j. A probation or parole officer employed by
16 the Iowa department of corrections.

17 NEW PARAGRAPH. k. A residential officer employed by
18 the department of corrections working at a community-based
19 corrections residential facility.

20 Sec. 95. Section 20.13, Code 2022, is amended to read as
21 follows:

22 **20.13 Bargaining unit determination, amendment, and**
23 **reconsideration.**

24 1. ~~Board~~ The board's determination of an appropriate
25 bargaining unit shall be upon petition filed by a public
26 employer, public employee, or employee organization. Except
27 as provided in subsection 4, the board's amendment of the
28 composition of a represented bargaining unit shall be upon
29 petition filed by the employer or certified representative
30 of the bargaining unit. The board's reconsideration of the
31 composition of a previously determined bargaining unit which is
32 not represented by a certified representative shall be upon the
33 combined petition of an employee organization which also seeks
34 a representation election pursuant to section 20.14, subsection
35 2.

1 2. Within thirty days of receipt of a petition, the board
2 shall conduct a public hearing, receive written or oral
3 testimony, and promptly thereafter file an order defining
4 the appropriate bargaining unit, amending or refusing to
5 amend the composition of a represented bargaining unit or
6 reconsidering and altering or refusing to alter the composition
7 of an unrepresented bargaining unit. In defining the unit,
8 or determining whether a unit should be amended or altered
9 in response to a petition for amendment or reconsideration,
10 the board shall take into consideration, along with other
11 relevant factors, the principles of efficient administration
12 of government, the existence of a community of interest among
13 public employees, the history and extent of public employee
14 organization, geographical location, and the recommendations
15 of the parties involved.

16 ~~3. Appeals from such order shall be governed by the~~
17 ~~provisions of chapter 17A.~~

18 ~~4.~~ 3. Professional and nonprofessional employees shall not
19 be included in the same bargaining unit unless a majority of
20 both agree.

21 4. Notwithstanding the provisions of subsection 1, a
22 petition to amend the composition of a represented bargaining
23 unit by the removal of public safety employees may be filed
24 by a public safety employee who is a member of the bargaining
25 unit. If the petition is accompanied by evidence satisfactory
26 to the board that the public safety employees in the bargaining
27 unit do not constitute at least thirty percent of the employees
28 in the unit and that a majority of the public safety employees
29 in the unit support the petition, the board shall conduct
30 a hearing within thirty days of its finding such evidence
31 satisfactory and shall promptly thereafter issue an order
32 granting or denying the requested amendment. If the board
33 amends the composition of the bargaining unit by removing
34 public safety employees, those employees may immediately be the
35 subject of a separate bargaining unit determination petition

1 filed in accordance with subsection 1.

2 5. Appeals from such orders shall be governed by the
3 provisions of chapter 17A.

4 Sec. 96. Section 20.15, Code 2022, is amended by striking
5 the section and inserting in lieu thereof the following:

6 **20.15 Elections.**

7 1. Upon the filing of a petition for certification of an
8 employee organization, the board shall submit a question to
9 the public employees at an election in the bargaining unit
10 found appropriate by the board. The question on the ballot
11 shall permit the public employees to vote for no bargaining
12 representation or for any employee organization which has
13 petitioned for certification or which has presented proof
14 satisfactory to the board of support of ten percent or more of
15 the public employees in the appropriate unit.

16 2. If a majority of the votes cast on the question is
17 for no bargaining representation, the public employees in
18 the bargaining unit found appropriate by the board shall not
19 be represented by an employee organization. If a majority
20 of the votes cast on the question is for a listed employee
21 organization, then that employee organization shall represent
22 the public employees in the bargaining unit found appropriate
23 by the board.

24 3. If none of the choices on the ballot receives the vote
25 of a majority of the public employees voting, the board shall
26 conduct a runoff election among the two choices receiving the
27 greatest number of votes.

28 4. Upon written objections filed by any party to the
29 election within ten days after notice of the results of
30 the election, if the board finds that misconduct or other
31 circumstances prevented the public employees eligible to
32 vote from freely expressing their preferences, the board may
33 invalidate the election and hold a second election for the
34 public employees.

35 5. Upon completion of a valid election in which the majority

1 choice of the employees voting is determined, the board shall
2 certify the results of the election and shall give reasonable
3 notice of the order to all employee organizations listed on the
4 ballot, the public employers, and the public employees in the
5 appropriate bargaining unit.

6 6. *a.* A petition for certification as exclusive bargaining
7 representative of a bargaining unit shall not be considered
8 by the board for a period of one year from the date of the
9 noncertification of an employee organization as the exclusive
10 bargaining representative of that bargaining unit following a
11 certification election. A petition for certification as the
12 exclusive bargaining representative of a bargaining unit shall
13 also not be considered by the board if the bargaining unit is
14 at that time represented by a certified exclusive bargaining
15 representative.

16 *b.* A petition for the decertification of the exclusive
17 bargaining representative of a bargaining unit shall not be
18 considered by the board for a period of one year from the date
19 of its certification, or within one year of its continued
20 certification following a decertification election, or during
21 the duration of a collective bargaining agreement which, for
22 purposes of this section, shall be deemed not to exceed two
23 years. However, if a petition for decertification is filed
24 during the duration of a collective bargaining agreement, the
25 board shall award an election under this section not more than
26 one hundred eighty days and not less than one hundred fifty
27 days prior to the expiration of the collective bargaining
28 agreement. If an employee organization is decertified, the
29 board may receive petitions under section 20.14, provided that
30 no such petition and no election conducted pursuant to such
31 petition within one year from decertification shall include as
32 a party the decertified employee organization.

33 7. A collective bargaining agreement with the state, its
34 boards, commissions, departments, and agencies shall be for two
35 years. The provisions of a collective bargaining agreement or

1 arbitrator's award affecting state employees shall not provide
2 for renegotiations which would require the refinancing of
3 salary and fringe benefits for the second year of the term of
4 the agreement, except as provided in section 20.17, subsection
5 6. The effective date of any such agreement shall be July 1 of
6 odd-numbered years, provided that if an exclusive bargaining
7 representative is certified on a date which will prevent the
8 negotiation of a collective bargaining agreement prior to
9 July 1 of odd-numbered years for a period of two years, the
10 certified collective bargaining representative may negotiate
11 a one-year contract with the public employer which shall be
12 effective from July 1 of the even-numbered year to July 1
13 of the succeeding odd-numbered year when new contracts shall
14 become effective.

15 Sec. 97. Section 22.7, subsections 69 and 70, Code 2022, are
16 amended to read as follows:

17 69. The evidence of public employee support for
18 the certification, ~~retention and recertification~~, or
19 decertification of an employee organization as defined in
20 section 20.3 that is submitted to the public employment
21 relations board as provided in section 20.14 or 20.15.

22 70. Information indicating whether a public employee
23 voted in a certification, ~~retention and recertification~~, or
24 decertification election held pursuant to section 20.15 or
25 how the employee voted on any question on a ballot in such an
26 election.

27 Sec. 98. Section 602.1401, subsection 3, paragraph b, Code
28 2022, is amended to read as follows:

29 b. For purposes of chapter 20, the certified representative,
30 which on July 1, 1983, represents employees who become judicial
31 branch employees as a result of [1983 Iowa Acts, ch. 186](#), shall
32 remain the certified representative when the employees become
33 judicial branch employees and thereafter, unless the public
34 employee organization is ~~not retained and recertified or is~~
35 decertified in an election held under section 20.15 or amended

1 or absorbed into another certified organization pursuant to
2 chapter 20. Collective bargaining negotiations shall be
3 conducted on a statewide basis and the certified employee
4 organizations which engage in bargaining shall negotiate on a
5 statewide basis, although bargaining units shall be organized
6 by judicial district. The public employment relations board
7 shall adopt rules pursuant to chapter 17A to implement this
8 subsection.

9 Sec. 99. Section 905.4, subsection 2, Code 2022, is amended
10 to read as follows:

11 2. Employ a director having the qualifications required by
12 section 905.6 to head the district department's community-based
13 correctional program and, within a range established by the
14 Iowa department of corrections, fix the compensation of and
15 have control over the director and the district department's
16 staff. For purposes of collective bargaining under chapter
17 20, employees of the district board who are not exempt from
18 chapter 20 are employees of the state, and the employees of all
19 of the district boards shall be included within one collective
20 bargaining unit. Furthermore, employees of the district board
21 shall be considered state employees for purposes of section
22 8A.415, subsection 2.

23 Sec. 100. DIRECTIVES TO PUBLIC EMPLOYMENT RELATIONS BOARD.

24 1. The public employment relations board shall cancel any
25 elections scheduled or in process pursuant to section 20.15,
26 subsection 2, Code 2022, as of the effective date of this
27 division of this Act.

28 2. Notwithstanding section 20.15, subsection 1, paragraph
29 "c", Code 2022, the public employment relations board
30 shall consider a petition for certification of an employee
31 organization as the exclusive representative of a bargaining
32 unit for which an employee organization was not retained and
33 recertified as the exclusive representative of that bargaining
34 unit regardless of the amount of time that has elapsed since
35 the retention and recertification election at which an employee

1 organization was not retained or recertified.

2 DIVISION XIV

3 HEALTH INSURANCE COVERAGE — SURVIVING SPOUSE AND CHILDREN OF
4 CERTAIN DEPARTMENT OF CORRECTIONS EMPLOYEES

5 Sec. 101. Section 509A.13D, subsection 3, Code 2022, is
6 amended to read as follows:

7 3. The governing body of the state shall ~~not~~ be required
8 to pay for the full cost of the health insurance under this
9 section; ~~however, the governing body of the state may pay the~~
10 ~~full cost or a portion of the cost of the health insurance. If~~
11 ~~the full cost or a portion of the cost of the coverage is not~~
12 ~~paid by the governing body of the state, the surviving spouse~~
13 ~~and each surviving child who is eligible for health insurance~~
14 ~~under this section may elect to continue coverage by paying~~
15 ~~that portion of the cost of the health insurance not paid by~~
16 ~~the governing body of the state.~~

17 DIVISION XV

18 ASSAULTS ON PERSONS ENGAGED IN CERTAIN OCCUPATIONS

19 Sec. 102. Section 708.3A, subsections 3 and 4, Code 2022,
20 are amended to read as follows:

21 3. A person who commits an assault, as defined in section
22 708.1, against a peace officer, jailer, correctional staff,
23 member or employee of the board of parole, health care
24 provider, employee of the department of human services,
25 employee of the department of revenue, civilian employee of a
26 law enforcement agency, civilian employee of a fire department,
27 or fire fighter, whether paid or volunteer, who knows that
28 the person against whom the assault is committed is a peace
29 officer, jailer, correctional staff, member or employee of
30 the board of parole, health care provider, employee of the
31 department of human services, employee of the department
32 of revenue, civilian employee of a law enforcement agency,
33 civilian employee of a fire department, or fire fighter, and
34 who causes bodily injury or mental illness, is guilty of an
35 ~~aggravated misdemeanor~~ a class "D" felony.

1 4. Any other assault, as defined in section 708.1, committed
2 against a peace officer, jailer, correctional staff, member
3 or employee of the board of parole, health care provider,
4 employee of the department of human services, employee of the
5 department of revenue, civilian employee of a law enforcement
6 agency, civilian employee of a fire department, or fire
7 fighter, whether paid or volunteer, by a person who knows
8 that the person against whom the assault is committed is a
9 peace officer, jailer, correctional staff, member or employee
10 of the board of parole, health care provider, employee of
11 the department of human services, employee of the department
12 of revenue, civilian employee of a law enforcement agency,
13 civilian employee of a fire department, or fire fighter, is a
14 ~~serious misdemeanor~~ an aggravated misdemeanor.

15 Sec. 103. Section 708.3A, Code 2022, is amended by adding
16 the following new subsections:

17 NEW SUBSECTION. 4A. Any person who commits an assault,
18 as defined in section 708.1, against a jailer or correctional
19 staff while the person is in the custody and control of the
20 department of corrections in a correctional institution,
21 community-based correctional facility, or an institution under
22 the management of the Iowa department of corrections which
23 is used for the purposes of confinement of persons who have
24 committed public offenses, or a county jail or other facility
25 used for purposes of confinement of persons who have committed
26 public offenses, shall, upon conviction of a violation of
27 this section, in addition to any other sentence imposed, lose
28 one-half of all earned time accumulated pursuant to section
29 903A.2 for a first conviction, and shall lose all earned
30 time accumulated pursuant to section 903A.2 for a second or
31 subsequent conviction.

32 NEW SUBSECTION. 4B. If the county attorney of the county
33 where a violation of this section occurs against a jailer
34 or correctional staff by a person who is in the custody
35 and control of the department of corrections while in any

1 correctional institution or a county jail or other facility
2 used for purposes of confinement fails to prosecute the case
3 against the person, the area prosecutions division of the
4 attorney general's office may elect to prosecute the case.

5 DIVISION XVI

6 DEPARTMENT OF CORRECTIONS

7 Sec. 104. DEPARTMENT OF CORRECTIONS — CONTRABAND AND
8 SURVEILLANCE CAMERAS — TRAUMA EVENTS.

9 1. For fiscal years beginning on or after July 1, 2022,
10 the department of corrections shall increase funding for
11 screening for contraband and surveillance cameras at all state
12 correctional facilities and for upgrades to provide for an
13 enhanced technology system to improve the safety and efficiency
14 of operations at all state correctional facilities.

15 2. The department of corrections shall amend its
16 administrative rules pursuant to chapter 17A to allow an
17 employee of the department who has witnessed a trauma event to
18 take between five and thirty days of paid leave depending upon
19 the severity of the trauma event. If the appointing authority
20 of a correctional institution determines that an employee
21 has been held hostage, the employee shall be eligible for a
22 paid leave of absence of up to ninety days, as determined by
23 a licensed physician, to allow for recovery from stress and
24 any related conditions. Such paid leave shall not be charged
25 against the employee's sick leave account.

26 DIVISION XVII

27 ACCOMMODATIONS — PREGNANCY AND CHILDBIRTH

28 Sec. 105. Section 216.6, subsection 2, Code 2022, is amended
29 by adding the following new paragraph:

30 NEW PARAGRAPH. *f.* (1) An employer shall provide reasonable
31 accommodations to an employee based on medical conditions
32 related to the employee's pregnancy or childbirth if the
33 employee so requests with the advice of the employee's health
34 care provider.

35 (2) For purposes of this lettered paragraph "*f*", "*reasonable*

1 *accommodations*” means actions which would permit an employee
2 with a medical condition relating to the employee’s pregnancy
3 or childbirth to perform in a reasonable manner the activities
4 involved in the employee’s specific occupation and include but
5 are not limited to the provision of an accessible worksite,
6 acquisition or modification of equipment, job restructuring,
7 and a modified work schedule. “*Reasonable accommodations*” does
8 not mean any action that would impose an undue hardship on the
9 business of the employer from whom the action is requested.

10 DIVISION XVIII

11 STUDENT IDENTIFICATION CARDS — SUICIDE PREVENTION

12 Sec. 106. NEW SECTION. 279.76 Student identification cards
13 — suicide prevention information.

14 A public school that issues identification cards to students
15 in grades seven through twelve shall include on either side of
16 the identification card the your life Iowa crisis telephone and
17 text numbers. A public school that issues identification cards
18 to students in grades five and six may include on either side
19 of the identification card the your life Iowa crisis telephone
20 and text numbers.

21 Sec. 107. APPLICABILITY. This division of this Act
22 applies to student identification cards issued on or after the
23 effective date of this division of this Act. A school that
24 has a supply of unused student identification cards shall use
25 that supply prior to complying with the requirements of this
26 division of this Act relating to student identification cards.

27 DIVISION XIX

28 INFANT FORMULA TASK FORCE

29 Sec. 108. INFANT FORMULA TASK FORCE.

30 1. The economic development authority and the department
31 of agriculture and land stewardship shall create an infant
32 formula task force. The task force shall consider programs and
33 other means the state may implement to incentivize all of the
34 following:

35 a. The in-state production of raw materials used to

1 manufacture infant formula.

2 b. The in-state manufacture of infant formula.

3 2. The task force shall report its findings and
4 recommendations to the general assembly on or before December
5 16, 2022.

6 DIVISION XX

7 TAX CREDITS — BUSINESS OPERATIONS WITH RUSSIAN FEDERATION

8 Sec. 109. TAX CREDITS — BUSINESS OPERATIONS WITH RUSSIAN
9 FEDERATION.

10 1. The economic development authority may revoke all or a
11 portion of any tax credit authorized, issued, or awarded by
12 the authority to a company under chapter 15 or section 403.19A
13 if the company is engaged, or becomes engaged, in any business
14 operations with the Russian Federation.

15 2. For purposes of this section, unless the context
16 otherwise requires:

17 a. "Business operations" means commerce in any form
18 including the acquisition, development, maintenance, ownership,
19 possession, leasing, selling, or operation of any equipment,
20 facilities, personnel, products, services, personal property,
21 real property, or any other apparatus of business or commerce.

22 b. "Company" means any sole proprietorship, organization,
23 association, corporation, partnership, joint venture, limited
24 partnership, limited liability partnership, limited liability
25 company, or other entity or business association, including
26 all wholly owned subsidiaries, majority-owned subsidiaries,
27 parent companies, or affiliates of such entities or business
28 associations.

29 3. The department of revenue, upon notification by the
30 economic development authority of the revocation of all or any
31 portion of a company's tax credit under this section, shall
32 seek repayment of the value of any such tax credit already
33 claimed. The repayment of any tax credit by a company shall
34 be considered a tax payment due and payable to the department
35 of revenue by any taxpayer who has claimed such tax credit,

1 and the failure to make such a repayment may be treated by the
2 department of revenue in the same manner as a failure to pay
3 the tax shown due or required to be shown due with the filing of
4 a return or deposit form.

5 Sec. 110. EFFECTIVE DATE. This division of this Act, being
6 deemed of immediate importance, takes effect upon enactment.

7 Sec. 111. APPLICABILITY. This division of this Act applies
8 to tax credits authorized, issued, or awarded by the economic
9 development authority under chapter 15 or section 403.19A on or
10 after the effective date of this division of this Act.>

11 2. Title page, line 4, after < matters, > by inserting
12 < providing penalties, >

13 3. Title page, line 4, after < date > by inserting < ,
14 applicability, >>

By HALL of Woodbury

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